



ENVIRONMENTAL IMPACT REPORT



CITY AND COUNTY OF SAN FRANCISCO PLANNING DEPARTMENT

333 Fremont Residential Project

Planning Department Case No. 2002.1263E

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Written comments on this document should be sent to:

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Planning Department

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**333 Fremont Street
Draft Environmental Impact Report**

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I. SUMMARY

A. INTRODUCTION

This is the Draft Environmental Impact Report (EIR) prepared in accordance with the California Environmental Quality Act (CEQA) for the proposed demolition of two vacant buildings at 329-349 Fremont Street between Harrison and Folsom Streets, and the construction of an approximately 131,340-square-foot building consisting of about 88 dwelling units and 88 below-grade parking spaces.

An application for environmental evaluation for the 333 Fremont Street project (the "Project") was filed on December 13, 2002. On the basis of the Initial Study published on October 4, 2003, the San Francisco Planning Department determined that an EIR is required. (See Appendix A – Initial Study.) This EIR is intended to provide information on the environmental effects concerning the proposed 333 Fremont Street project to allow the San Francisco Planning Commission to make an informed decision on the project.

B. PROJECT DESCRIPTION

The project site is in the southeast quadrant of San Francisco, in an area known as Rincon Hill. The irregular-shaped project site is on the west side of the City block bounded by Folsom, Fremont, Harrison, and Beale Streets. The project site is located at 329-349 Fremont Street, on Assessor's Block No. 3747, Lot 19. The project site is on the north slope of Rincon Hill and slopes up toward Harrison Street and down toward Folsom Street. The site wraps around the end of Zeno Place, a cul-de-sac off Folsom Street. The 13,853-square-foot site (approximately 0.32 acre) currently contains two vacant, two-story office buildings, which were joined around 1968. The larger, concrete, 329-333 Fremont building, constructed in approximately 1930, contains a basement level, which is accessible from a driveway on Zeno Place. The smaller, 347-349 Fremont Street Edwin W. Tucker & Co. building is a wood-frame structure that is reported to have been constructed in 1913 and is a

rated historic structure on the California Register of Historic Resources. The buildings total approximately 30,417 square feet, and contain a total of three parking spaces accessible from Zeno Place.

The project sponsor, City-Core Fremont Street Investors, LLC, proposes to demolish the existing buildings and construct an eight-story, approximately 131,340-square-foot residential condominium building with below-grade parking. There would be a three- and one-half-level underground parking garage for about 88 parking spaces. The project would contain about 1 studio, 64 one-bedroom units, and 23 two-bedroom units for a total of 88 units. Vehicular access to the parking garage would be from Fremont Street on the northern side of the site. Pedestrian access would be from the south side of the building via a courtyard facing Fremont Street.

Following completion and certification of the Final EIR, the project would require the following approvals:

- Conditional Use Authorization by the Planning Commission for a building taller than forty feet in an R (Residential) District.
- Department of Building Inspection approvals of demolition and building permits
- Department of Public Works for curb cuts on Fremont Street.
- Department of Parking and Traffic for passenger (white curbing) zone.

C. MAIN ENVIRONMENTAL EFFECTS

This environmental impact report (EIR) for the project focuses on the issues of land use, population transportation, and historic architectural resources. All other potential environmental effects were found to be at a less-than-significant level or to be mitigated to a less-than-significant level with mitigation measures to be implemented by the project sponsor. (Please see the Initial Study, included in this document as Appendix A, for analysis of other environmental issues.) A section on growth inducement is also included in this EIR.

Land Use, Zoning, and General Plan Consistency (page 36)

The project site is within the Rincon Hill Special Use District (SUD)/Residential Subdistrict. The zoning is RC-4 (Residential/Commercial Combined High-Density), and the project site is in a 200-R Height and Bulk District. The RC-4 Residential/Commercial Combined: High Density districts

encourage a combination of high-density dwellings with compatible commercial uses on the ground floor to protect and enhance neighborhoods with mixed-use character. The Rincon Hill SUD was established in 1985 to convert an underutilized and outmoded industrial area to a residential neighborhood close to Downtown that would contribute to the City's housing supply. The SUD was intended to create tapered residential buildings; provide an appropriate mixture of retail sales and personal services to support new residential developments; provide a buffer of office and parking uses between the Bay Bridge, freeway ramps, and housing sites; and allow some of the existing industrial, production, distribution, repair, retail, and office uses to remain.

The proposed project would change land use at the site from office to high-density, mid-rise residential with below-grade parking. The proposed project would consist of an approximately 131,340-square-foot building with approximately 88 dwelling units and 88 parking spaces, on a site that is currently occupied by two, two-story office buildings with 30,417 square feet and three parking spaces.

The proposed building would increase the scale of development along Fremont Street from two, two-story structures to an 85-foot-tall, mid-rise residential building. In the recent past, the immediate project area has been characterized by a predominance of surface parking and industrial uses. A number of high-density residential uses have been built recently, are under construction, have recently been approved, or have recently been proposed near the proposed project site (discussed in more detail below). Therefore, the project vicinity is characterized by a rapidly changing urban landscape; it is transitioning from an industrial district with surface parking to a predominantly mid-rise residential district close to downtown.

The proposed residential use would be consistent with similar residential uses around the project site, including Hills Plaza, Avalon Towers, and Embarcadero Lofts to the east; the recently constructed Bridgeview Residential Tower to the south, and the four recently approved residential towers at 201 Folsom and 300 Spear Streets. The project would also be consistent with the approved 200-foot residential loft project at 325 Fremont Street, adjacent to the project site on the north, and the 333 First Street mid-rise residential and mixed-use building complex recently completed to the west. In addition, there are five other high-rise residential projects proposed in the Rincon Hill area: which include three on Fremont Street (375, 385-399, and 340-350 Fremont Street); 45 Lansing Street; and

One Rincon Hill at 425 First Street. The proposed project would further intensify the Rincon Hill residential uses north of Harrison Street, as envisioned in the *Rincon Hill Plan: Draft for Public Discussion* (November 2003 and March 2004 refinements).

The change in land use would further the goals of the *Rincon Hill Plan: Draft for Public Discussion*, which recommends that the Rincon Hill area be developed as a residential neighborhood close to downtown that contributes to the City's housing supply. The proposed project would add residential units to the community that is in the process of being established in the immediate project vicinity of the Rincon Hill area. The proposed residential use would be compatible with existing and planned high-density residential uses in the Rincon Hill area. The proposed development would thus continue and extend existing land uses and would not disrupt or divide an established community, nor would it adversely affect the existing character of the vicinity. Therefore, the proposed change in land use would not be a significant impact.

Population and Housing (page 59)

The 88 proposed dwelling units would contribute approximately 123 new residents, based on a household density factor of about 1.4 persons per dwelling unit.¹ The proposed project would not displace housing or significant numbers of people, and project-generated population would not be a significant impact. However, the proposed residential project would incrementally contribute to the overall cumulative population growth of the Rincon Hill area.

The *Rincon Hill Plan Draft Environmental Impact Report* anticipates approximately 3,650 to 4,865 new dwelling units (including those already existing, approved, under construction, or recently constructed) depending on the adoption of one of three options for urban form development in the Rincon Hill area, as detailed in the *Rincon Hill Plan: Draft for Public Discussion* (November 2003 and March 2004 refinements). This cumulative residential development in the Rincon Hill area would be approximately 1.1 to 1.4 percent of the year 2000 housing stock, while the proposed project's 88 dwelling units would be a very small fraction of total San Francisco units. The proposed project would account for approximately 1.8 to 2.4 percent of the cumulative growth of the 3,650 to

¹ City and County of San Francisco Planning Department, *Rincon Hill Plan Draft Environmental Impact Report*, September 25, 2004, page 138. This report is on file and available for public review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco, as part of Case File No. 2000.1081E.

4,865 new dwelling units in the Rincon Hill area. The proposed project's contribution to this cumulative residential growth in the Rincon Hill area would be considered less-than-significant.

The additional 3,650 to 4,865 residential units in the Rincon Hill area would accommodate approximately 5,000 to 6,700 residents.² This cumulative growth in the Rincon Hill area would be approximately 0.7 to 0.9 percent of the 2002 San Francisco population of 755,800, and approximately 0.6 to 0.8 percent of the projected 2020 population of 848,100. The proposed project would contribute a small proportion, approximately 1.8 to 2.5 percent, of the anticipated cumulative Rincon Hill growth of 5,000 to 6,700 new residents (including residents of projects recently constructed, under construction, or recently approved). The project's 123 new residents would not be considered a substantial addition to the projected population of the City. Thus, the proposed project's contribution to cumulative population growth would be less-than-significant.

Transportation (page 62)

Based on the Planning Department's standard trip rate for residential use, the project would generate about 793 new daily person-trips on a weekday, of which approximately 137 would occur during the p.m. peak hour (5:00 to 6:00 p.m.). These 137 new person-trips would include 54 trips by automobile, 27 trips by transit, and 56 trips by walking or other modes. Based on a vehicle occupancy rate of 1.09 persons per vehicle, the 54 trips by automobile would translate to 49 new vehicle trips during the p.m. peak hour.

The traffic analysis performed for the project examined existing and future operating conditions at six intersections in the vicinity of the project. The study intersections were Folsom/First Streets, Folsom/Fremont Streets, Folsom/Beale Streets, Harrison/First Streets, Harrison/Fremont Streets, and Harrison Street/The Embarcadero. Weekday traffic counts were made at these intersections in order to evaluate the existing traffic conditions during the weekday p.m. peak hour (5:00 to 6:00 p.m.). The Planning Department considers intersection levels of service (LOS) ranging from LOS A to LOS D to be acceptable at signalized intersections, while LOS E and F are unacceptable. Any degradation to LOS E or F (including from LOS E to LOS F) is considered a significant impact on traffic circulation and operations. During the weekday p.m. peak hour, four of the six study intersections currently operate with acceptable conditions (LOS D or better), and two intersections operate with

² Ibid, page S-17.

unacceptable operating conditions (LOS F). The two intersections that currently operate at LOS F conditions are located on the primary approaches to I-80 and the Bay Bridge (Folsom/First and Harrison/First).

The addition of project-generated traffic would result in a relatively small change in the average delay per vehicle at the study intersections, and all six study intersections would continue to operate at the same service levels as under existing conditions. The two study intersections that operate at LOS F under existing conditions (Folsom/First and Harrison/First) would continue to operate at these unacceptable levels.

Traffic volumes and congestion are anticipated to increase over time in the project vicinity and intersection levels of service are expected to deteriorate. In 2020, poor operating conditions would occur along the primary access routes to the Bay Bridge and the intersections of Folsom/First, Harrison/First, and Harrison/Fremont. The project's contribution to the three study intersections that would operate at LOS F during the weekday p.m. peak hour would be less than four percent of the traffic growth at the intersections. For the traffic movements that determine overall LOS operating conditions at the intersections of Folsom/First and Harrison/Fremont, the proposed project would add traffic to movements that would continue to operate satisfactorily. The project contribution would not represent a considerable contribution to 2020 Cumulative conditions, and the project would not have a significant traffic impact.

The project site is in an area served by public transit. The project would generate about 9 new outbound transit trips and 18 inbound trips (total 27 trips) during the weekday p.m. peak hour. There is sufficient excess capacity on each of the seven bus lines that serves the site to accommodate the additional transit trips that would be generated by the project. Therefore, there would be no significant project impacts on transit operations.

The proposed project would generate an additional 56 walking or "other" trips to and from the site, as well as pedestrian trips associated with the 27 project-generated transit trips. Pedestrian operating conditions on area sidewalks and crosswalks would not noticeably deteriorate with the addition of these walking trips. Both sidewalks and crosswalks would continue to operate at free-flow conditions.

The proposed project would generate a long-term residential parking demand for about 118 spaces. The long-term residential demand generally occurs during the evening and overnight hours. The long-term parking demand of 118 spaces would not be accommodated within the parking supply of 88 parking spaces, which would result in a shortfall of 30 spaces. This shortfall could be accommodated on-street or in nearby off-street parking facilities that provide overnight parking.

During the weekday midday, the residential parking demand is estimated to be about 80 percent of the overnight parking demand, or about 94 spaces. It is anticipated that a portion of the 30 overnight parking space shortfall would remain parked on-street or in off-street facilities during the day. Since the proposed project would provide 88 parking spaces, there would be a shortfall of between 6 parking spaces and 30 parking spaces during the midday period. Based on a proposed project shortfall of between 6 and 30 parking spaces, the weekday midday parking occupancy in the study area would increase from 92 percent to 95 percent. The residual shortfall of parking would force drivers to search for parking farther afield or switch to alternative travel modes. The issue of parking supply versus demand and occupancy is not considered by the Planning Department to be a permanent physical environmental condition or a significant environmental impact. Moreover, accommodating an unconstrained demand for vehicles by requiring parking to meet demand would encourage additional vehicle use, with associated environmental problems of traffic congestion, safety, air pollution, and noise. It is for these reasons that the Planning Department has adopted and repeatedly endorsed a "Transit First" policy (in the Transportation Element of the San Francisco *General Plan*) that prioritizes accommodating transit service over private vehicles.

Since the proposed project would provide less than 100,000 gross square feet of residential uses, the San Francisco *Planning Code* would not require the project to provide any off-street loading spaces. However, it is anticipated that a 40-foot-long passenger loading/unloading (white) zone would be established near the pedestrian entrance at the south corner of the Fremont Street frontage.

During the anticipated 12- to 18-month project construction period, construction staging would occur primarily within the site and from the adjacent sidewalk on Fremont Street. It is anticipated that the sidewalk along the proposed project frontage on Fremont Street would be closed throughout the construction duration, and that a temporary pedestrian walkway would be constructed in the adjacent

parking lane. Since there are no Muni bus stops along the project site frontage, it is not anticipated that any Muni bus stops would need to be relocated during construction of the proposed project. It is anticipated that no regular traffic lanes would need to be closed during construction. On average, there would be between 20 and 80 construction workers per day at the project site, depending on the construction phase. Since the nearby parking facilities currently have some availability during the day, it is anticipated that construction worker parking demand could be accommodated without substantially affecting areawide parking conditions.

The construction activity of the proposed project may overlap with the construction of other proposed projects in the area, which would affect access, traffic operations, and pedestrian movements. The construction schedule of the proposed project would also overlap with the seismic retrofit of the west span of the Bay Bridge and its approaches. Bay Bridge construction activity is anticipated to be concentrated in the area adjacent to the Bay Bridge west span and approaches, and is not expected to substantially affect traffic operating conditions in the vicinity of the proposed project.

Historic Architectural Resources (page 85)

The 347-349 Fremont Street Edwin W. Tucker & Co. building was determined individually eligible for the National Register under Criterion "C" on August 14, 1995. This action resulted in the automatic listing of the property in the California Register of Historical Resources. San Francisco's Planning Department's 1976 Architectural Quality Survey rated the Tucker building "1," indicating that it was of contextual significance. In 1983, San Francisco Architectural Heritage surveyed the Tucker building and rated it "C," suggesting that it may be of contextual importance. The building is neither a designated San Francisco Landmark nor part of a local historic district.

Based on an historic evaluation report, the project sponsor believes that the 347-349 Fremont Street Edwin W. Tucker & Co. building has lost its historic qualities or potential to yield information through alteration and loss of integrity, and that new information and analysis shows the historical resource was not eligible at the time of its listing. The San Francisco Planning Department Preservation staff and the staff at the State Historic Preservation Office concurred with the project sponsor's position and recommend removing the Tucker building from the California Register of Historical Resources.

However, on August 7, 2003, the State Historic Preservation Office denied the project sponsor's request to remove the building from the California Register, and the 347-349 Fremont Street Edwin W. Tucker & Co. building remains on the California Register of Historical Resources.

Growth Inducement (page 103)

In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development in other nearby areas that might not occur if the project were not approved and implemented, particularly if the project would facilitate growth by removing a major obstacle to development in a particular area (such as provision of major new public services to an area where those services are not currently available). The proposed project would conform to the policies of the proposed *Rincon Hill Plan* that encourages the continued development of a high-density residential neighborhood in close proximity to the major employment center of downtown San Francisco. The proposed project entails construction of a new eight-story building providing 131,340 gross square feet of residential space, which would include 88 residential units, and 88 parking spaces. The proposed project would add new residential units in the Rincon Hill neighborhood and would increase the daily population on the project site by approximately 125 people, from the currently vacant office buildings. Approximately 123 of this increase would be new residents (based on 1.4 persons per household), and there would be two new building employees. Because of the current strong demand for housing, especially for housing close to the Financial District, which would exist with or without the project, the project would not induce substantial growth or concentration of population beyond that which would have occurred without the project. Some project residents may relocate from other parts of the Bay Area to be closer to their employment in downtown San Francisco. To the extent that this occurs, the project would result in reduced commuting to work. The project would contribute incrementally to meeting existing and future housing demand in San Francisco. For these reasons, the proposed project would not cause significant growth-inducing impacts.

D. MITIGATION AND IMPROVEMENT MEASURES (page 105)

Each Mitigation and Improvement Measure identified in this EIR and in the Initial Study follows. Measures from the Initial Study (see Appendix A) proposed as part of the project are indicated with an asterisk (*). Decision-makers may not require a measure to be implemented if it is demonstrated to be infeasible based on substantial evidence in the record. Implementation of some measures may be the responsibility of the public agencies.

MITIGATION MEASURES

The following mitigation measures would reduce or eliminate potentially significant impacts.

*** 1. Construction Air Quality**

- The project sponsor shall require the construction contractor(s) to spray the project site with water during excavation, grading, and site preparation activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other such material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during these periods at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require the construction contractor(s) to obtain reclaimed water from the Clean Water Program for this purpose.
- The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as prohibiting idling motors when equipment is not in use or when trucks are waiting in queues, and implementing specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

*** 2. Hazards (Contaminated Soil)**

- *Step 1: Preparation of Site Mitigation Plan*

Soil and groundwater samples shall be characterized (analyzed) for metals, petroleum hydrocarbons and gasoline/diesel components, volatile and semi-volatile organic compounds, and other constituents, as requested by the Department of Public Health (DPH). In addition, groundwater characterization shall be carried out for total suspended solids, total settleable solids, pH, total dissolved solids, and turbidity. Samples shall be analyzed by state-accredited laboratories. Based on the results of soil and groundwater characterization, a Site Mitigation Plan (SMP) shall be prepared by a qualified individual, in coordination with DPH and any other applicable

regulatory agencies. The sampling and studies shall be completed by a Registered Environmental Assessor or a similarly qualified individual. Excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with DPH.

- *Step 2: Site Health and Safety Plan*

Prior to conducting any remediation activities a Site Health and Safety Plan would be prepared pursuant to California Division of Occupational Safety and Health (Cal-OSHA) requirements and National Institute for Occupational Safety and Health guidance to ensure worker safety. Under Cal-OSHA requirements, the Site Health and Safety Plan would need to be prepared prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

1. Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
2. The dust controls specified in Air Quality Mitigation Measure 1.
3. Protocols for managing stockpiled and excavated soils.

The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:

1. Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required.
2. Posting of "no trespassing" signs.
3. Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures could include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

- *Step 3: Handling, Hauling, and Disposal of Contaminated Soils*

(a) specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If there are excavated materials containing over one percent friable asbestos, they would be treated as hazardous waste, and would be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.

(c) surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

- *Step 4: Preparation of Closure/Certification Report*

After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

* **3. Hazards (PCBs)**

- The project sponsor would ensure that building surveys for PCB-containing equipment (including elevator equipment), hydraulic oils, and fluorescent lights are performed prior to the start of demolition. Any hazardous materials so discovered would be abated according to federal, state, and local laws and regulations.

*

4. Archeological Resources

- Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project archeological research design and treatment plan (Archeo-Tec, *Archeological Research Design/Treatment Plan for the 333 Fremont Street Project*, February 28, 2003) at the direction of the Environmental Review Officer (ERO). In instances of any inconsistency between the requirements of the project archeological research design and treatment plan and of this archeological mitigation measure, the requirement of the latter shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Section 15064.5 (a)(c).
- Archeological Testing Program.* The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.
- *Archeological Monitoring Program.* If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:
 - The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
 - The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
 - The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
 - The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
 - If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

- *Archeological Data Recovery Program.* The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
 - *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
 - *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
 - *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
 - *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
 - *Final Report.* Description of proposed report format and distribution of results.
 - *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.
- *Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), which shall appoint a Most Likely Descendant (MLD) (Public Resource Code Section 5097.98). The archeological

consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines, Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

- *Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

The following mitigation measures would reduce but not eliminate a significant impact.

5. Historical Architectural Resources

The project sponsor shall provide historic documentation of the 347-349 Fremont Street Edwin W. Tucker & Co. building's exterior and interior, meeting the Historic American Buildings Survey (HABS) recordation standards. Such documentation shall include the following:

- An HABS outline report including descriptive and historical information.
- Photographic documentation of the exterior of the 347-349 Fremont Street building. Such documentation shall meet the HABS standard of detail and quality for photography documentation in 4x5 or 5x7 photographs and negatives.
- Photographic documentation of the interior of the 347-349 Fremont Street building. Such documentation shall meet the HABS standard of detail and quality for photography documentation in 4x5 or 5x7 photographs and negatives. It shall include the interior spaces and features identified in the historic resources study and shall be keyed to a description in the outline report of the location, condition, and significance of each space or feature.

- An appropriate conserved set of the existing architectural drawings of 347-349 Fremont Street.
- A display of photographs and interpretive materials concerning the history and architectural features of the 347-349 Fremont Street building shall be installed inside the proposed project and accessible to the public.

Copies of the narrative, photographic documentation and any available architectural drawings of the building shall be submitted to the San Francisco Planning Department prior to authorization of any permit that may be required by the City for alternation at the 347-349 Fremont Street building.

In addition, the project sponsor shall prepare and transmit the photographs and descriptions of 347-349 Fremont Street to the History Room of the San Francisco Public Library, and to the Northwest information Center of the California Historical Information Resources System.

The above measure would reduce the adverse effect of the project on the historical resource at 347-349 Fremont Street, but would not reduce the impact to a less-than-significant level. Therefore, a significant unavoidable impact on historical resources would remain.

IMPROVEMENT MEASURES

Improvement measures diminish effects of the project that were found through the environmental analysis to be less-than-significant impacts. The improvement measures identified in this EIR may be required by decision-makers as conditions of approval. The project sponsor would be responsible for implementation of the measures in coordination with the appropriate City Departments.

1. Construction

Construction activities would be temporary and of short-term duration. Therefore, they would not be considered significant environmental impacts. In order to reduce potential non-significant construction impacts, the project sponsor could implement the following improvement measures:

- Any construction traffic occurring between 7:00 and 9:00 a.m. or between 3:30 and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by DPT) would minimize disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods.

- The project sponsor and construction contractor(s) would meet with the Traffic Engineering Division of the Department of Parking and Traffic (DPT), the Fire Department, Muni, the Planning Department and other City agencies to determine feasible measures to reduce traffic congestion, including any potential transit disruption and pedestrian circulation impacts during construction of the project. The temporary parking demand by construction workers would need to be met on-street or within other off-street parking facilities.

E. UNAVOIDABLE SIGNIFICANT IMPACTS (page 115)

The proposed project would have the following unavoidable significant impacts on historic architectural resources: The project sponsor intends to demolish the 347-349 Fremont Street Edwin W. Tucker & Co. building, as well as the adjacent American Engraving Company building at 333 Fremont Street, and replace them with an eight-story residential building. The 347-349 Fremont Street Edwin W. Tucker & Co. building is considered an historical resource for CEQA purposes, and demolition of this building would be a significant adverse impact. In addition, the project would have a significant cumulative impact on historical architectural resources in Rincon Hill. Should the Planning Commission approve the project as proposed, it would be required to make a finding that the project would have significant project specific and cumulative environmental impacts and would adopt a Statement of Overriding Considerations.

F. ALTERNATIVES TO THE PROPOSED PROJECT (page 117)

Alternative A: No Project

This alternative would entail no change to the two existing two-story office buildings, totaling approximately 30,417 square feet, on the site. The proposed project would not be built, and the buildings would continue to be non-Building Code-conforming structures. This alternative, however, would not preclude future proposals for redevelopment of the project site.

If the No Project Alternative were implemented, none of the impacts associated with the project would occur. The existing Edwin W. Tucker & Co. building (347-349 Fremont Street), an historic and architectural resource of significance that is on the California Register of Historic Resources, would remain unaltered. The existing buildings would continue to operate under the previous use as approximately 30,400 square feet of office space. The project-specific effects on intersection conditions, transit use, parking, loading, or pedestrian and bicycle traffic also would not occur,

although these impacts would not be significant under the proposed project. Intersection operations and transit operating conditions that would degrade to unacceptable levels of service by the 2020 cumulative horizon year would do so with or without the project. Under this alternative, there would be no incremental contribution from the project site to these degraded conditions, beyond traffic and transit ridership that would be generated if the existing vacant office buildings on the site were occupied again in the future.

Other less-than-significant effects of the proposed project described in the Initial Study, including effects of the proposed eight-story project on visual quality and urban design, effects on views, wind effects, shadow effects on nearby streets and buildings, population, generation of noise during construction, potential discovery of subsurface cultural resources during excavation, and potentially hazardous materials, among other impacts, would not occur with this alternative.

The No Project Alternative would not meet City-Core Fremont Street Investors, LLC's objectives of providing 88 dwelling units in the Rincon Hill area.

Alternative B: Preservation Alternative

Alternative B, the Preservation Alternative, would preserve the Edwin W. Tucker & Co. building on the project site (at 347-349 Fremont Street), an historic architectural resource, by retaining and adaptively reusing the building as a part of a larger residential development. Under this alternative, the other building on the site (333 Fremont Street) would be demolished, and an 85-foot, eight-story residential building would be constructed adjacent to the Tucker building, which would be incorporated into the new residential building's lobby. The Tucker building would be restored to its original condition, including the character-defining features on the Fremont Street façade: the parapet moldings and plaque in the center of the parapet, the flagpole, the original main door and its trim, and the pair of hinged doors at the vehicular entrance. The infill of the vehicular entryway would be removed, and the interior would contain the original long open machine shop space with two mezzanines. The building would be seismically upgraded in accordance with the *State Historic Building Code*, and the damage due to water infiltration and associated decay of wood elements, including dry rot, in the exterior sheathing, roof decking and interior sills and joists would be repaired.

This alternative would contain approximately 74,500 square feet (compared to the proposed project's 131,000 square feet). There would be approximately 59 residential dwelling units, and a total of about 59 parking spaces on two levels accessible from Fremont Street.

Compared to the proposed project, Alternative B: Preservation Alternative would not result in the loss of the historic Edwin W. Tucker & Co. building on the site. The Tucker building would be adaptively reused by incorporating it into a larger residential building on the site. This alternative would preserve the Tucker building's historic architectural features.

Compared to the proposed project, Alternative B would have fewer intensive environmental effects on transportation and parking because of its smaller size. This alternative would generate about 435 daily person-trips and 26 vehicle trips in the weekday p.m. peak hour compared to the proposed project's 793 new daily person-trips and 49 weekday p.m. peak hour vehicle trips. The operating conditions would be better and the levels of congestion at the key intersections studied would be less than with the proposed project. Because this alternative would retain the historic Tucker building at 347-349 Fremont Street, the mid-rise building would be only on the 333 Fremont Street site. Although the building would be the same height as the proposed project (85 feet high), it would have less mass and fewer impacts on visual quality and urban design. The views of the Rincon Hill skyline would feature a slimmer building than the proposed project structure.

Alternative B would also have fewer effects on population, construction noise, air quality, wind, shadows, utilities and public services, and energy/natural resources, although these impacts would be less than significant for both this alternative and the proposed project.

This alternative would have similar effects in those environmental areas not affected by height or bulk: land use, operation noise, biology, geology/topography, water, hazards, and archeological cultural resources. Alternative B: Preservation Alternative would be the environmentally superior alternative.

Alternative B would not satisfy City-Core Fremont Street Investors, LLC's objectives of providing 88 dwelling units in the Rincon Hill area.

G. AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

This environmental impact report focuses on the issues of land use, population, transportation, historic architectural cultural resources, and growth inducement. All other potential environmental effects were found to be at a less-than-significant level or to be mitigated to a level of less-than-significant with mitigation measures agreed to by the project sponsor. Please see the Initial Study, included in this document as Appendix A, for analysis of issues other than land use, population, transportation, historic architectural cultural resources, and growth inducement.

Residents of this neighborhood may be concerned about the potential impacts of a change of use at the site that was previously non-residential to residential. The Planning Commission will be asked to certify the Final EIR after publication and distribution of written responses to all comments received on the Draft EIR.

After Final EIR certification, and following consideration of community concerns as expressed in the future Conditional Use public hearing and the information presented in the Initial Study and this EIR, the San Francisco Planning Commission (or the Board of Supervisors on appeal) will decide whether or not to approve the proposed project.

II. PROJECT DESCRIPTION

The project sponsor, City-Core Fremont Street Investors, LLC, proposes to demolish the existing buildings at 329-349 Fremont Street and construct an approximately 131,340-square-foot residential development including approximately 88 dwelling units and about 88 underground parking spaces. The new project site address would be 333 Fremont Street.

A. PROJECT SPONSOR'S OBJECTIVES

The project sponsor has the following objectives:

- Develop a high-quality, cost-effective residential building in the Rincon Hill area of San Francisco to provide 88 residential units, and associated parking to meet the demands of the expanding San Francisco economy and growth in the project area.
- Develop a project consistent with the existing urban design character of the area.
- Complete the project on schedule and within budget.
- Develop a project with minimal environmental disruption.
- Bring the property into conformance with the San Francisco Building Code.

B. PROJECT LOCATION

The project site is in the southeast quadrant of San Francisco, in an area known as Rincon Hill. The irregular-shaped project site is on the west side of the City block bounded by Folsom, Fremont, Harrison, and Beale Streets (Figure 1, page 24).³ The site wraps around the end of Zeno Place, a cul-de-sac off Folsom Street. The project site is located at 329-349 Fremont Street, on Assessor's Block 3747, Lot 19, which totals 13,853 square feet or approximately 0.32 acre.

³ To simplify the discussion of the direction of City streets south of and including Market Street, the convention of calling northwest-to-southeast streets "north-south" and northeast-to-southwest streets "east-west" is used in this document.



Source: During Associates

9-15-04

Project Location Map Figure 1

The project site is on the north slope of Rincon Hill and slopes up toward Harrison Street and down toward Folsom Street.

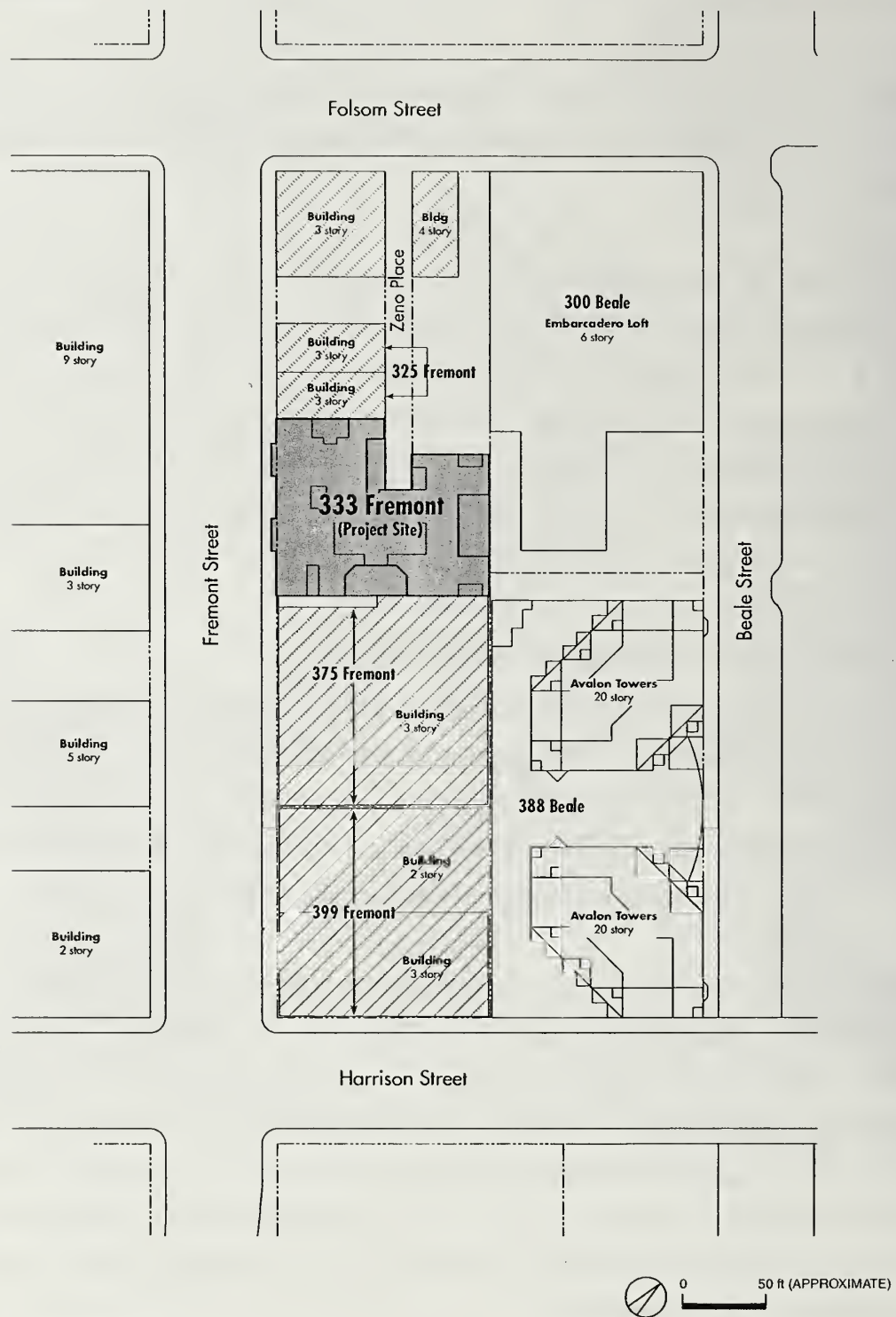
The site is within the existing Rincon Hill Special Use District (SUD)/Residential Sub-District. The project site is in an RC-4 (Residential/Commercial High-Density), and a 200-R Height and Bulk District.

Two two-story office buildings, which were joined around 1968, currently occupy the site. The buildings are presently vacant but recently contained office use. The larger, concrete, 333 Fremont building, constructed in approximately 1930, contains a basement level which is accessible from a driveway on Zeno Place. The smaller, 347-349 Fremont Street Edwin W. Tucker & Co. building, is a wood-frame structure that is reported to have been constructed in 1913 and is a rated historic structure on the California Register of Historic Resources. The buildings total approximately 30,417 square feet, and contain a total of three parking spaces accessible from Zeno Place.

C. PROJECT CHARACTERISTICS

The proposed project involves the demolition of the existing buildings and the construction of an eight-story, approximately 131,340-square-foot residential condominium building with below-grade parking (Figures 2, 3, 4, 5, 6, and 7, pages 26 to 31). There would be a three and one-half-level underground parking garage for about 88 parking spaces. The project would contain about 1 studio, 64 one-bedroom units, and 23 two-bedroom units for a total of 88 units.

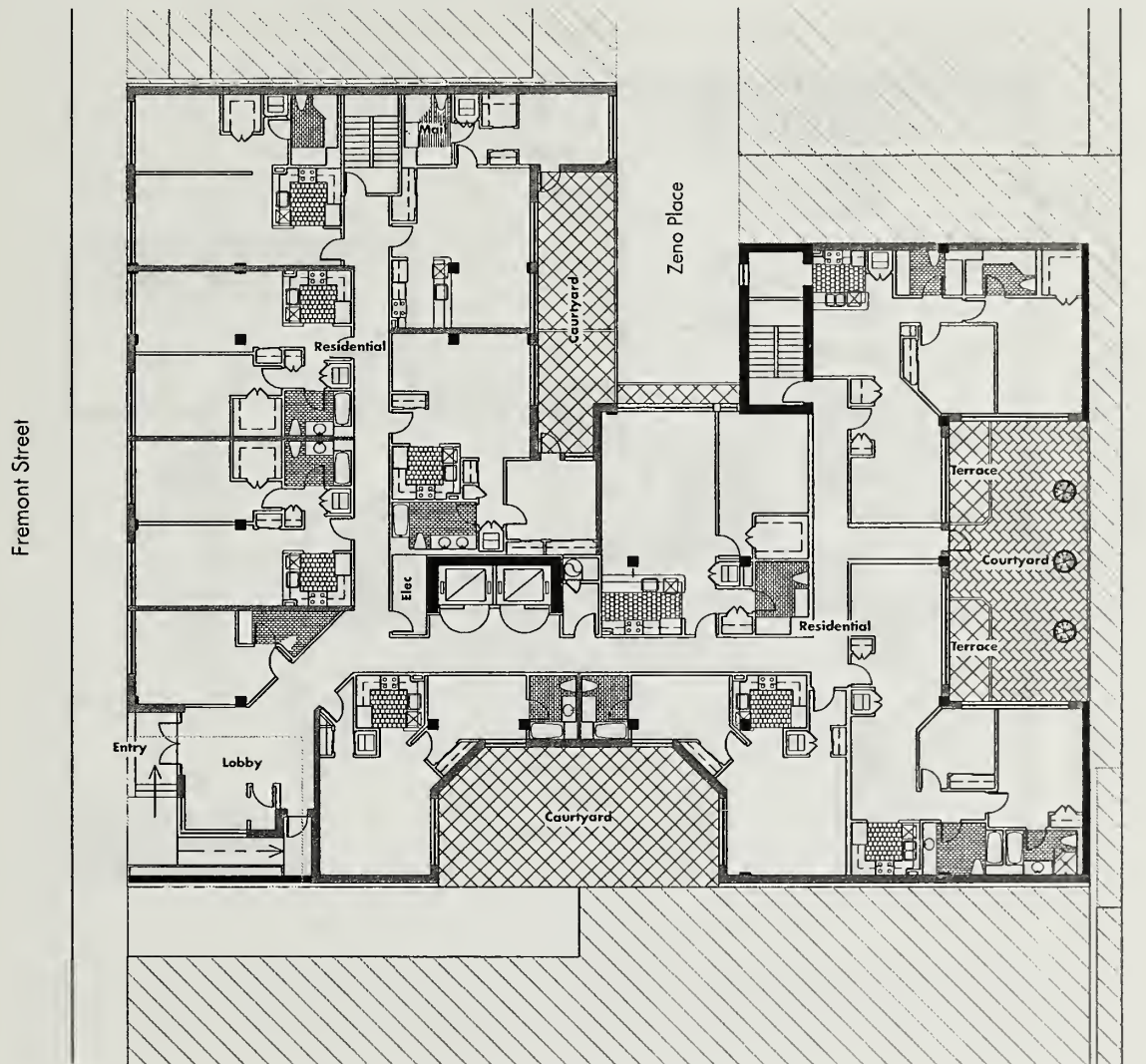
The building would be built to the property lines. The eight-story residential structure would be 85 feet tall and would feature three courtyards and two terraces on the ground floor. The courtyards would be open the entire height of the building. The pedestrian entrance to the building and lobby would be on Fremont Street. The ground floor would contain eleven residential units, a lobby with two elevators, a mail room, the three courtyards and two terraces. The second through eighth floors would each contain eleven units per floor. The size of the units would range from 750 square feet to 800 square feet for one-bedroom units, and from 1,050 to 1,300 square feet for two-bedroom units. The studio would be 293 square feet.



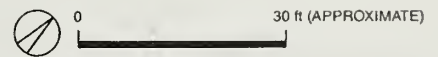
Source: During Associates, Heller Manus Architects

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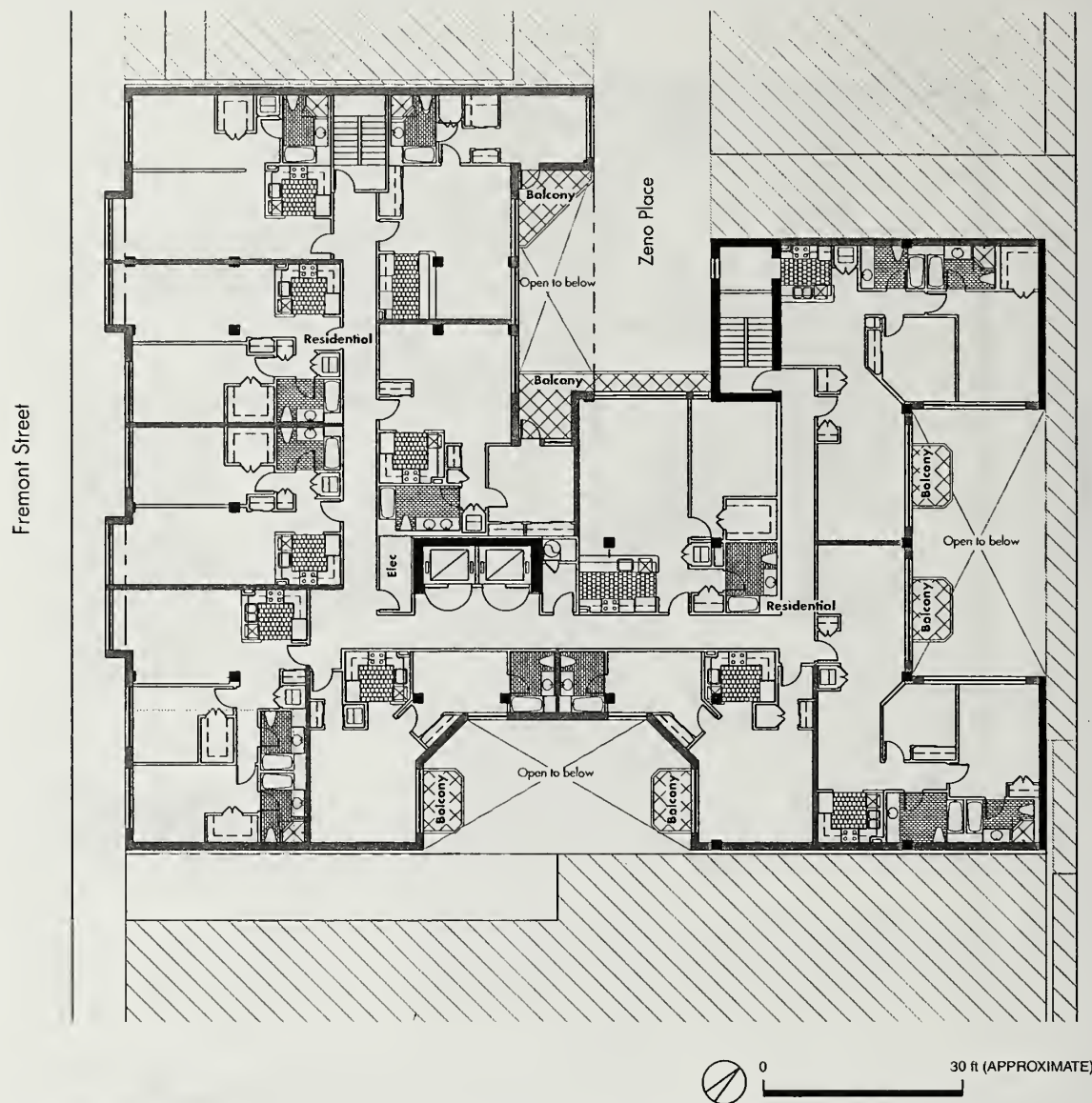
Proposed Site Plan Figure 2



Source: Heller Manus Architects
2/15/04



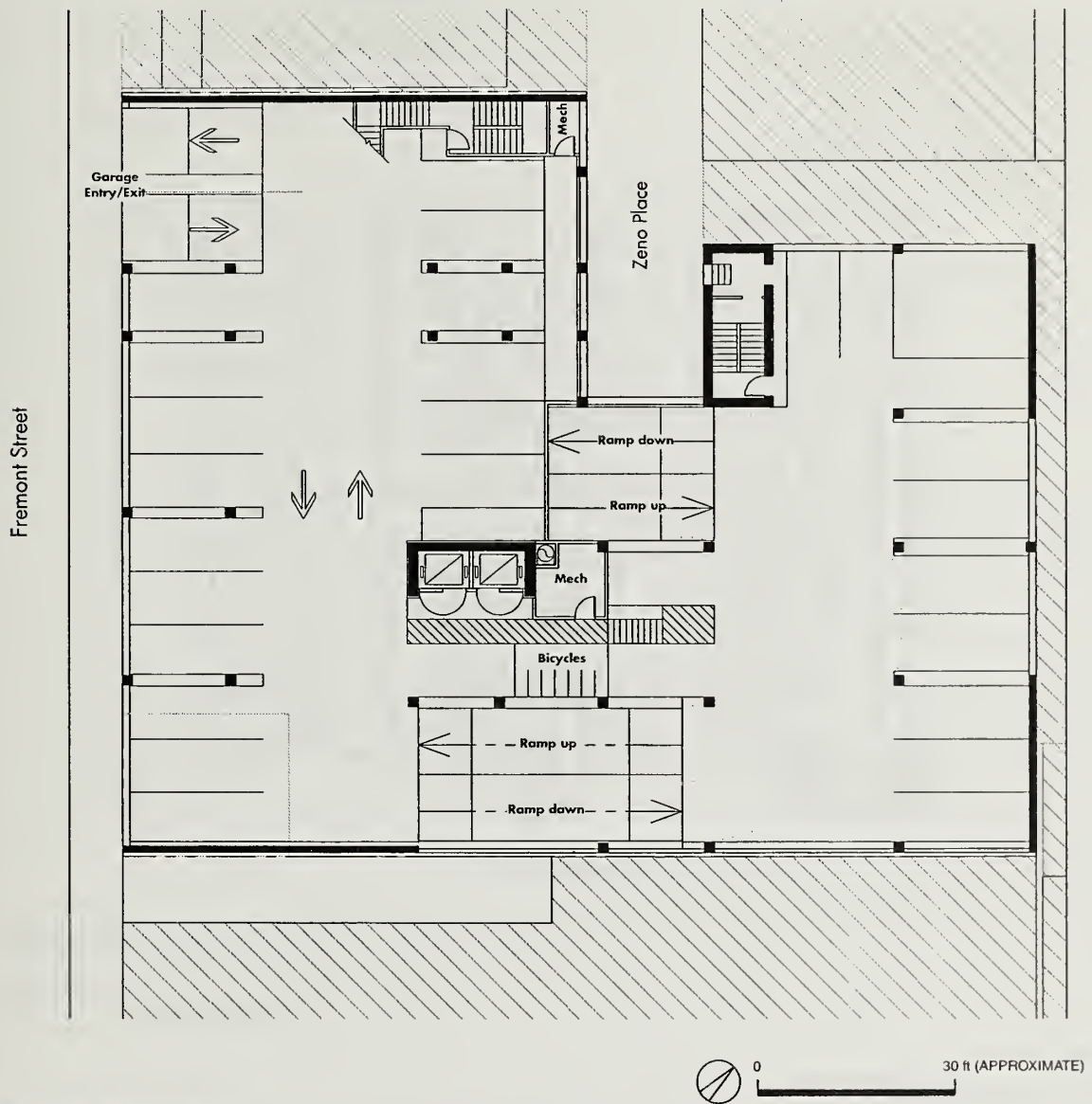
Proposed Ground Floor Plan Figure 3



Source: Heller Manus Architects

9-15-04

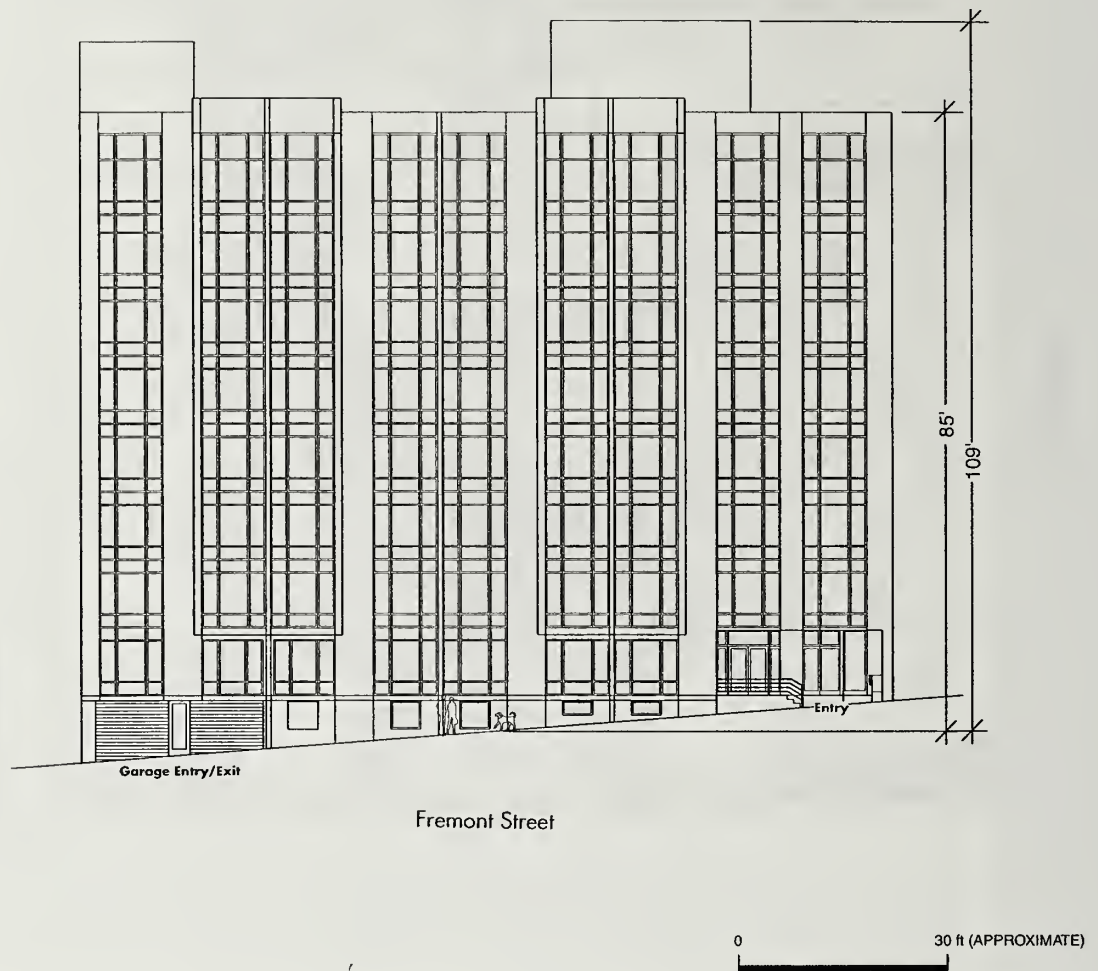
Proposed Residential Floor Plan (Levels 2-8 Typical) Figure 4



Source: Heller Manus Architects

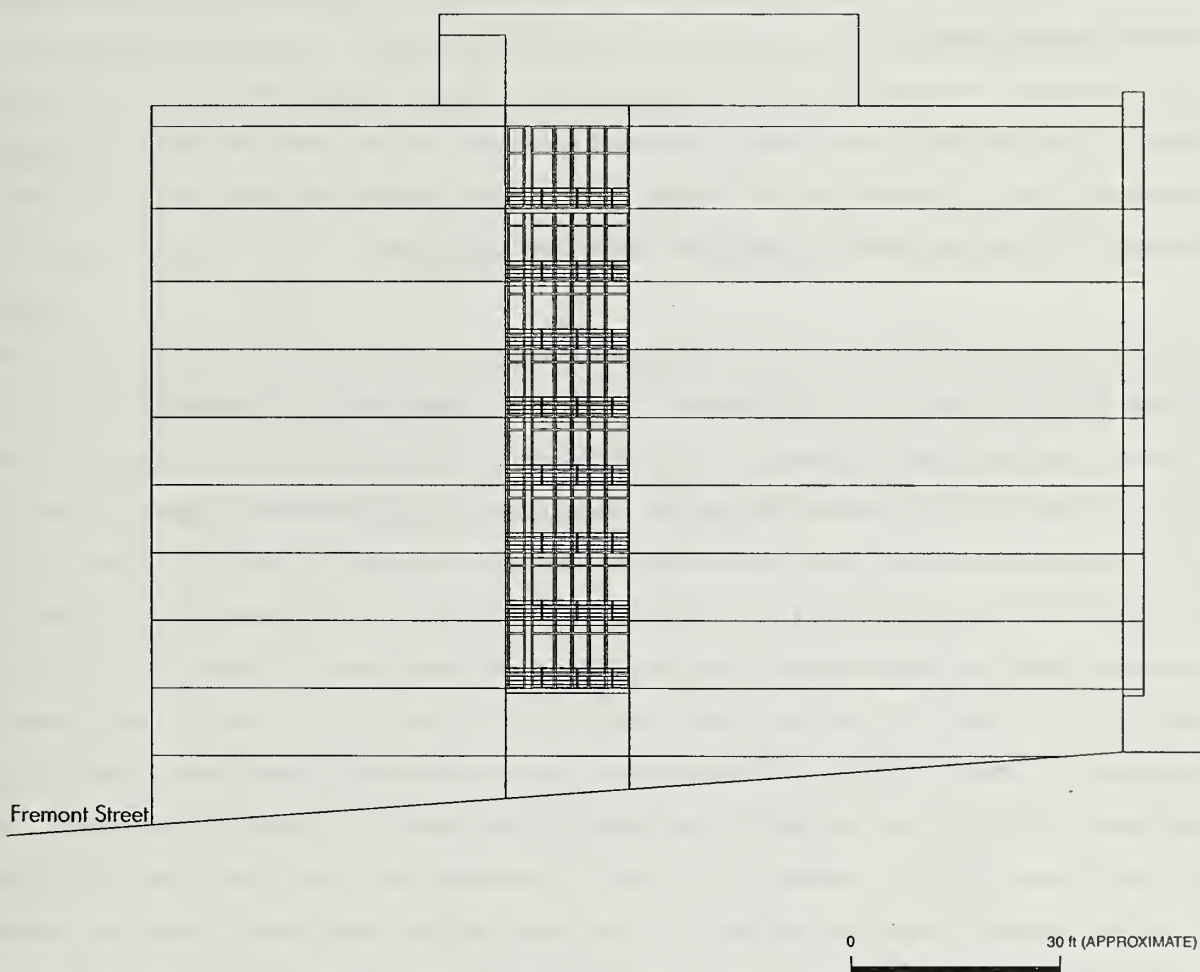
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Proposed Parking Plan Figure 5



Source: Heller Manus Architects
9-20-04

Proposed Fremont Street (West) Elevation Figure 6



Source: Heller Manus Architects

9-15-04

Proposed North Elevation (Looking South) Figure 7

The site frontage on Fremont Street is 114½ feet. Vehicular access to the parking garage would be from Fremont Street on the north end of the building. The 88-space garage would also contain eight bicycle spaces. Loading would also occur on Fremont Street. There would be an emergency pedestrian access on Zeno Place. Development of the site would require excavation of approximately 12,500 cubic yards of soil for footings and foundation. The building's foundation would be concrete matting.

Project construction would take about 18 months and would be completed in 2006. The project construction cost is estimated at \$10 million. The project sponsor is City-Core Fremont Street Investors, LLC, and the project architect is Heller Manus Architects.

The Planning Department is currently working on a proposal for the rezoning of the Rincon Hill area (Rincon Hill Downtown Residential District, Case Number 2000.1081). The Planning Department proposes to replace the *San Francisco Planning Code's (Planning Code)* Rincon Hill Special Use District (*Planning Code* Section 249.1) with a new Rincon Hill Downtown Residential District, which would increase height limits, revise the "R" bulk district, amend the *Rincon Hill Area Plan* of the *General Plan*, and make other *General Plan* and zoning changes in the Rincon Hill area, intended to stimulate additional high-density residential development in the Rincon Hill area. The *Rincon Hill Plan: Draft for Public Discussion*, dated November 2003, has been released by the Planning Department for public review and discussion, and represents various development scenarios that could occur if the plan were adopted by the Planning Commission and Board of Supervisors. The proposed *Rincon Hill Plan* controls are still under development, and final controls that differ from the current proposals could be adopted. The proposed project would comply with the existing controls for Rincon Hill and would comply with all development scenarios of the proposed *Rincon Hill Plan*.

D. PROJECT APPROVAL REQUIREMENTS

This EIR will undergo a public comment period as noted on the cover of this report, including a public hearing before the Planning Commission on the Draft EIR. Following the public comment period, responses to written and oral comments will be prepared and published in a Comments and Responses document, presented to the Planning Commission for certification as to accuracy,

objectivity, and completeness. No approvals or permits may be issued before the Final EIR is certified by the Planning Commission.

The *San Francisco Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Code*, or an exception is granted pursuant to provisions of the *Code*.

Following completion and certification of the Final EIR, the project would require the following approvals:

- Conditional Use Authorization by the Planning Commission for a building taller than forty feet in an R (Residential) District.
- Department of Building Inspection approvals of demolition and building permits.
- Department of Public Works for curb cuts on Fremont Street.

III. ENVIRONMENTAL SETTING AND IMPACTS

An application for environmental evaluation for the 333 Fremont Street project was filed on December 13, 2002. On the basis of an Initial Study published on October 4, 2003, the San Francisco Planning Department determined that an Environmental Impact Report (EIR) was required for the project. The Initial Study determined that physical environmental effects related to visual quality and urban design, housing, noise, air quality/climate, utilities/public services, biology, geology/topography, water, energy/natural resources, hazards, and historic cultural resources are not significant impacts, and hence, require no further discussion. (See Chapter IX, Appendix A, for the Initial Study.) Therefore, the EIR does not further analyze these issues. On the basis of the Initial Study, project-specific effects and cumulative impacts that relate to land use, population, transportation, historic architectural resources, and growth inducement have been determined to be potentially significant, and are analyzed in this EIR.

Not all of the impacts presented in this chapter are physical environmental effects as defined by the California Environmental Quality Act (CEQA). Non-physical effects are included here for informational purposes only.

A. LAND USE, ZONING, AND GENERAL PLAN CONSISTENCY

SETTING

LAND USE

The project site is in the southeastern portion of Downtown San Francisco, about three blocks south of Market Street, in an area known as Rincon Hill. The site is on the north slope of Rincon Hill, and slopes up toward Harrison Street and down toward Folsom Street. The proposed development site is occupied by two, two-story office buildings, totaling approximately 30,417 square feet and three parking spaces. The two buildings were joined in 1968. The smaller building on the site, the 347-349 Fremont Street Edwin W. Tucker & Co. building, is a wood-frame structure that is reported to have been constructed in 1913 and is a rated historic structure on the California Register of Historic Resources. The larger building on the site, 333 Fremont, is a concrete structure that was built in approximately 1930. This building has no historic architectural rating.

The Downtown office district begins immediately north of the project site, across Folsom Street, and east to the Embarcadero, extending north of Market Street to about Washington Street and west to about Kearny Street. Generally, buildings near Market Street are larger than newer development south of Mission Street. The South of Market neighborhood is to the west and south. Hills Plaza (a mixed-use complex that incorporates the historic Hills Brothers Coffee Plant) and The Embarcadero (an arterial street that runs along the eastern waterfront) are located to the east. The Rincon Point–South Beach Redevelopment Area (currently occupied by a variety of mixed waterfront uses including residential, commercial, office, industrial, and recreational facilities) is three blocks northeast of the site and one block southwest of the site. To the north of the project site across Folsom Street, land previously dominated by the Embarcadero Freeway and opened up as a result of freeway demolition is now vacant, used for surface parking, or is used for a construction staging area for the San Francisco–Oakland Bay Bridge retrofit project; it remains in Caltrans ownership. This area is part of the proposed Transbay Redevelopment Project Area, located directly north of Folsom Street (discussed in Proposed Plans and Policies, *Transbay Redevelopment Project Area Design for Development*, below).

San Francisco Bay and The Embarcadero are approximately three and one-half blocks (about 600 feet) east of the project site. The San Francisco–Oakland Bay Bridge is one block to the south, with a freeway off-ramp on Fremont Street and an on-ramp one block southwest of the site, at First and Harrison Streets.

The project site is about five blocks east (about 2,600 feet) of the Moscone Convention Center. West of the project site, an elevated bus ramp extends in a north-south direction, leading from the Bay Bridge to the Transbay Terminal, located about two blocks to the north at First and Mission Streets.

The project site is in a transition area. High-rise office above retail uses in the C-3 (Downtown Commercial) District are located along Howard Street to the north, and high-rise residential above small commercial uses are located south of Folsom Street. Land uses in the vicinity are varied and include residential, commercial (office, wholesale, and retail), light industrial, institutional, utility, and parking. High-rise office buildings dominate the area north of Mission Street, and to some extent high-rise office towers are clustered in the area north of Folsom Street between The Embarcadero and Main Street. The remainder of the area between Mission and Harrison Streets, west of Main Street, constitutes the southern periphery of Downtown. A larger portion of the Rincon Hill area is characterized by a changing urban landscape composed of surface parking lots, low- to mid-rise industrial buildings, and new and under-construction high-rise residential development.

In addition to the project site, the project block is occupied by a variety of building types and sizes, ranging from one to four stories, and the 19-story Avalon Towers on the east side of the block.

In the immediate vicinity of the project site, land uses consist largely of office and commercial uses to the north, south, and west, and primarily residential uses to the east. In addition, there are surface parking lots along the north side of Folsom Street from west of First Street to east of Beale Street on the site of the former elevated Embarcadero Freeway.

Adjacent to the project site to the north are two, three-story office spaces (323 and 325 Fremont Street, respectively). At the corner of Fremont and Folsom Streets is the three-story E.M. O'Donnell Copper Works office building (353 Folsom Street). A 200-foot residential loft project at 325

Fremont Street was approved by the Planning Commission on June 18, 1998. A revised plan for that project to increase the number of units to 70 is under review by the Planning Department.

East of the project site, facing Beale Street, is the North Avalon Tower which, together with the adjacent South Tower, is a 226-unit residential building with ground-floor retail uses (388 Beale Street). Adjacent to the North Tower and north of the project site, facing Folsom and Beale Streets (at 300 Beale Street), is the 59-unit Embarcadero Lofts building with ground-floor retail. On Beale Street south of Harrison Street is the 20-story Bridgeview Residential Tower building (400 Beale Street).

Adjacent to the project site, to the south, is a two-story, concrete framed office building with a basement (375 Fremont Street) that is proposed for demolition and replacement with an approximately 250-unit, 388-foot tall high-rise residential development, an automotive repair shop (385 Fremont Street), and the Apostleship of the Sea building (a residential recovery center for substance abusers run by the CATS [Chemical Awareness Treatment Services], 399 Fremont Street) at the corner of Fremont and Harrison Streets. A residential project proposed at 385-399 Fremont Street, under review at the Planning Department, would replace the automotive repair shop and the Apostleship of the Sea building with a 35-story residential tower (the 385-399 Fremont Street project).

To the west across the street from the project site at the corner of Harrison and Fremont Streets is a two-story computer technology office building (390 Fremont Street), a four-story Marine Cooks and Stewards Union building (350 Fremont Street), a three-story Marine Engineers Union building with surface parking areas (340 Fremont Street), and the approximately 12-story, windowless PG&E substation at the corner of Folsom and Fremont Streets. A 333-unit residential project is proposed at 340-350 Fremont Street. The historic one-story Edwin Klockars Blacksmith Shop (City Landmark Number 149) is located west of the PG&E substation at 449 Folsom Street.

Further to the west of the project site, along First Street, are several two- to six-story office, residential, and live/work buildings, several of which have ground-floor retail or restaurant/bar uses. On the northwest corner of Harrison and First Streets is a gas station. A new residential project (333 First Street) that includes two residential towers, of 20 and 27 stories, has recently opened at the

southeast corner of First and Folsom Streets. A 305-unit residential project is proposed at 45 Lansing Street.

EXISTING ZONING AND CONTROLS

The *San Francisco Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Planning Code*, or an exception is granted pursuant to provisions of the *Planning Code*.

The project site is within the Rincon Hill Special Use District (SUD)/Residential Subdistrict. The zoning is RC-4 (Residential/Commercial Combined, High-Density), and the project site is in a 200-R Height and Bulk District. Zoning of nearby areas includes P (Public Use), C-3-O (Downtown Office), M-1 (Light Industrial), and M-2 (Heavy Industrial).

RC-4 Residential/Commercial Combined, High Density District

RC-4 (Residential/Commercial Combined, High Density) districts encourage a combination of high-density dwellings with compatible commercial uses on the ground floor to protect and enhance neighborhoods with mixed-use character. RC-4 zoning in the Rincon Hill area has no density limit. RC-4 zoning permits group housing with a maximum of one bedroom for each 70 square feet of lot area, child care for 12 or fewer, and supporting commercial uses including office and retail-type services, except for auto-oriented uses, when located on the ground floor or below, as principally permitted. Planned unit developments, hotels, institutional uses (academic, religious or medical institution), parking lots, and community garages are permitted with Conditional Use authorization. The floor area ratio (FAR) permitted for all non-residential uses is 4.8:1. Generally, one off-street parking space for each four dwelling units is required. Commercial uses (depending on the specific type of use) require parking and loading spaces per *Planning Code* Sections 151 and 152. Rear yards are required at the lowest residential level in RC-4 districts; they need not be at ground level. Properties in an RC-4 District require 36 square feet of private usable open space for each residential unit. Common usable open space for each residential unit may be substituted for private open space at the rate of 133 percent of the amount of required private open space. Open space for non-residential uses is required to be provided at the ratio of 1:50.

Rincon Hill Special Use District

The Rincon Hill SUD was established in 1985 to convert an underutilized and outmoded industrial area to a residential neighborhood close to Downtown that would contribute to the City's housing supply. The SUD was intended to create tapered residential buildings; provide an appropriate mixture of retail sales and personal services to support new residential development; provide a buffer of office and parking uses between the Bay Bridge and freeway ramps, and the housing sites; and allow some of the existing industrial, service, and office uses to remain. *Planning Code* Section 249.1(a) designates a Residential Subdistrict and a Commercial/Industrial Subdistrict within the Rincon Hill SUD. The project site is located in Assessor's Block 3747, and is in the Residential subdistrict of the Rincon Hill SUD. Therefore, it is subject to the provisions of *Planning Code* Section 249.1(c) Residential subdistrict, as well as controls specified in *Planning Code* Section 249.1(b) that apply to all of Rincon Hill. These controls are discussed below.

Planning Code Section 249.1(b) Rincon Hill SUD Controls

The following controls are applicable in the Rincon Hill SUD:

Site Coverage. Site coverage for new buildings in the Rincon Hill SUD may not exceed 80 percent. This limitation is intended to promote a residential atmosphere in the Residential subdistrict and an atmosphere compatible with the adjacent development in the Commercial/Industrial subdistrict. Rear yard requirements applicable in other R (Residential) districts do not apply in the SUD. The portion of the site (a minimum of 20 percent of the lot) that is not covered, may not be used for parking, open storage, or service activities.

Sidewalk Treatment. The Rincon Hill SUD includes requirements to install and maintain improvements such as lighting, decorative paving, seating, and landscaping on adjacent public sidewalks. Street trees are required at every 30 feet of street frontage.

Reduction of Ground-Level Wind Currents. New buildings and additions to existing buildings are required to be shaped, or other wind-baffling measures adopted, so that the developments will not cause ground-level wind currents to exceed more than ten percent of the time year-round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 miles per hour (mph) equivalent wind speed in areas of substantial pedestrian use and 7 mph equivalent wind speed in public seating areas. When

preexisting ambient wind speeds exceed the comfort level or when a proposed building or addition may cause ambient speeds to exceed the comfort level, the building must be designed to reduce the ambient wind speeds to meet the requirements. The Zoning Administrator may allow the building or addition to add to the amount of time the comfort level is exceeded by the least practical amount under two circumstances. If it can be shown that a building or addition cannot be shaped or other wind-baffling measures cannot be adopted without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site, the Zoning Administrator may grant an exception. An exception may also be granted if the increase in wind speed is insubstantial because the comfort level is exceeded by a limited amount, in limited locations, or for limited amounts of time. No building is permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 mph for a single hour of the year.

Planning Code Section 249.1(c) Rincon Hill SUD/Residential Subdistrict Controls

The provisions applicable to an RC-4 District apply in the Residential subdistrict except as specifically provided.

Uses. Permitted uses include dwellings; group housing for boarding, religious orders; medical and educational institutions; hotels, inns or hostels; and uses permitted in an RC-4 District, provided the residential-to-nonresidential ratio of 6:1 is maintained. Uses along grade-level street frontages must be confined to residential lobbies, parking access, and office and retail uses.

Density. The Residential subdistrict controls provide no density limits. Buildings in this subdistrict are controlled by height and bulk limits, and therefore, density limits do not apply to the proposed project.

Setback. A minimum of 50 percent of the building frontage above 50 feet in height must be set back a minimum of 25 feet from the front property line. The portion of a site (a minimum of 20 percent of the lot) that is not covered, may not be used for parking, open storage, or service activities.

Open Space. Open space is required at the ratio of 1 square foot per 13 square feet of gross floor area of dwelling units. The open space requirement may be met by private usable open space, common usable open space, or publicly accessible open space, provided that no more than 40 percent

of the open space requirement is met with the provision of private usable open space. Publicly accessible open space includes, but is not limited to, a sidewalk widening, a pedestrian overpass, a recreation facility on the roof of a parking garage, a pedestrian street, or a publicly accessible area with a scenic overlook. Open space may be provided on those portions of the site not developed pursuant to the site coverage requirements.

Parking Requirements. In the Residential subdistrict one parking space is required for each dwelling unit. Parking for units designed for senior citizens may be provided at a 1:5 ratio. Parking in excess of one parking space for each dwelling unit may not be considered to be an accessory use and therefore may not be permitted. Parking for all other uses is required at a ratio of one space for each 1,500 occupied square feet. Parking may not occupy the first two stories above grade within 25 feet of the street. However, parking for residential units on pedestrian streets may be provided at ground level.

Existing Height and Bulk Districts

The project site is in a 200-R Height and Bulk District. This height district allows development up to a maximum height of 200 feet.

The "R" bulk district establishes limits on building bulk at specific heights and is further defined in Section 270(e). The "R" bulk limits are as follows: (1) above a height of 51 feet, the maximum length and diagonal dimensions are both 200 feet and the average individual floor area may not exceed 20,000 gross square feet; and (2) above a height of 105 feet, the maximum length dimension is 110 feet and the maximum diagonal dimension is 125 feet. The average floor area of all floors above 105 feet may not exceed 7,500 gross square feet; and (3) distances between structures in height districts about 105 feet should not be less than 150 feet.

EXISTING PLANS AND POLICIES

Environmental plans and policies are those, like the *Bay Area Air Quality Plan*, which directly address physical environmental issues and/or contain targets or standards which must be met in order to preserve or improve characteristics of the City's physical environment.

Proposition M, the Accountable Planning Initiative

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *San Francisco Planning Code* to establish eight Priority Policies. These policies are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; maximization of earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project which requires an Initial Study under CEQA; prior to issuing a permit for any demolition, conversion, or change of use; and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies.

General Plan Policies

The proposed project would be generally consistent with the objectives and policies of the *General Plan*. The Planning Commission and Board of Supervisors will evaluate the proposed project against the provisions of the *General Plan*, including those in the existing *Rincon Hill Area Plan*, at their hearing, and will consider potential conflicts with the *General Plan* as part of the decision-making process. This consideration of *General Plan* objectives and policies is carried out independently of the environmental review process, as part of the decision to approve, modify, or disapprove a proposed project. Any potential conflicts with provisions of the *General Plan* that would cause physical environmental impacts have been evaluated as part of the impacts analysis carried out for other topics in this project's EIR and the Initial Study (see Appendix A). Any potential conflicts with *General Plan* policies not identified in this EIR could be considered in the project evaluation process and would not alter the physical environmental effects of the proposed project analyzed in this EIR.

The proposed project is in the part of San Francisco covered by the *Rincon Hill Area Plan*, an Area Plan of the *General Plan*. Objectives and policies in the various elements of the *General Plan* are typically duplicated in area plans, and the objectives and policies in an area plan are generally more detailed and focused. The *Rincon Hill Area Plan* is the policy document that guides growth and development of the mixed-use neighborhood on Rincon Hill, a twelve-block area close to the Downtown. It is bounded by Folsom Street on the north, Essex Street and the on-ramp to the Bay

Bridge on the west, the Bay Bridge on the south, and The Embarcadero and Steuart Street on the east. A small portion of the Rincon Hill area also lies south of the Bay Bridge and is bounded by The Embarcadero on the east, Bryant Street on the south, and Beale Street on the west. The *Rincon Hill Area Plan* contains a number of objectives and policies that address the following issues: provision for new development; provision of space for residential uses; neighborhood-serving retail and off-street residential parking; conservation of existing (and creation of new) industrial, service, and office uses; and urban design.

Some key objectives and policies of the *General Plan* relevant to the proposed project are noted here; others may be addressed during consideration of project approval.

General Plan

Residence Element

- | | |
|-------------------------|--|
| Objective 1, Policy 2: | Facilitate the conversion of underused industrial and commercial area to residential use, giving preference to permanently affordable housing uses. |
| Objective 2, Policy 2: | Encourage higher residential density in areas adjacent to Downtown, in underutilized commercial and industrial areas proposed for conversion to housing and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are permanently affordable to lower income households. |
| Objective 12, Policy 1: | Assure housing is provided with adequate public improvements, services and amenities. |
| Objective 16, Policy 2: | Encourage development of housing in the Bay Area which will meet regional housing needs and contribute to the quality of life in the region. |

Urban Design Element

- | | |
|------------------------|--|
| Objective 3, Policy 5: | Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development. |
| Objective 3, Policy 6: | Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction. |

Rincon Hill Area Plan

Land Use

- Objective 1: To create a unique residential neighborhood close to Downtown which will contribute significantly to the City's housing supply.
- Objective 2: To create space for additional uses which will provide needed services for the resident population.
- Objective 3, Policies: Rincon Hill should be divided into two subareas: residential and commercial/industrial.
- Objective 3, Policies, Residential: Various bulk and setback rules should be applied to prevent the becoming too massive and overwhelming the area. Some retail uses at some locations and a limited amount of commercial use (one square foot for every six square feet of residential space) should also be permitted at the base of the residential structures to screen the parking and create daytime activity in the area. New development should be required to provide some open space available to the general public.

Housing

- Objective 4: To provide quality housing in a pleasant environment that has adequate access to light, air and open space.

Urban Design

- Objective 7: To achieve an aesthetically pleasing residential community.
- Objective 8: To capitalize on the unique qualities of Rincon Hill, specifically its sweeping views of the Bay, its proximity to Downtown, and its relationship to the Waterfront and Bay.
- Objective 9: To respect the natural topography of the hill and follow the policies already established in the Urban Design Element which restrict height near the water and allow increased height on the top of hills.
- Objective 10: To preserve views of the Bay and the Bay Bridge which are among the most impressive in the region.
- Objective 11: To maintain view corridors through the area by means of height and bulk controls which insure carefully spaced slender towers rather than bulky, massive buildings.

- Objective 12: To reduce the present industrial scale of the streets by creating a circulation network through the interior blocks, creating a street scale comparable to those in existing residential areas elsewhere in the city.
- Objective 13: To reduce the widths of Main, Spear, and Beale Streets to create additional developable area as well as new pedestrian space.
- Objective 14: To keep wind speeds at a comfortable level.
- Objective 15: To encourage a human scale streetscape with activities and design features at pedestrian eye level.
- Objective 15, Policies: Bulk controls should be applied which make the tops of buildings slender, their silhouettes stepped and tapered.

The height and bulk of specific development projects should conform to the following design policies:

The highest towers should be clustered near the top of hill with heights stepping down as elevation decreases. The overall form should identify the hill as a distinctive geographic feature of the city.

Heights of towers should be varied to avoid the visual benching created by a number of buildings whose tops are at the same elevation.

Towers should be sited in a way that avoids excessive screening of Downtown views from the bridge and minimizes shadowing of open space. Therefore, distances between towers in the same height district above 105 feet should not be less than approximately 150 feet.

Structures near or adjacent to the Bay Bridge should clearly maintain, and where possible reinforce, the physical integrity of the bridge's main span as seen from a distance.

Structures approaching The Embarcadero should step down in height so as to acknowledge the meeting of land and water.

Building forms should minimize the creation of surface winds near the base of buildings.

Recreation and Open Space

- Objective 20: To create an inviting and pleasant pedestrian corridor to the financial district.

Objective 20, Policies,
Public Open Space:

Each development should provide publicly accessible open space in an amount equal to 20% of the site area. Pedestrian streets and sidewalk widening are encouraged, and reservation of open space (by specifying maximum lot coverage) are mandated in the Plan for Blocks 3744-3748.⁴

The open spaces should facilitate pedestrian movement as well as provide areas for people to sit and relax. Such spaces may include plazas, garden parks, galleries, and sidewalk arcades on the development parcel. If individual parcels are too small to provide quality public open space through such requirements as pedestrian streets, the public open space requirements should be permitted to be satisfied by joining with other developers to create larger recreational spaces on designated sites within the district, if approved by the Planning Commission.

Objective 20, Policies,
Private Residential
Space:

In addition to public open space, private residential open space should also be provided in relation to a development's residential area at a ratio of 1 square foot per 13 square feet of residentially occupied space. Most of the residential open space should be in common areas for the residents of the development; however up to 40% could be private in that it is for the use only of the residents to which it is attached. Some of the public open space should be counted as residential common open space if provided on the ground floor in the form of an urban park, community garden or other open space conducive to residential activity.

Circulation

- Objective 21: To create safe and pleasant networks within the Rincon Hill area, to Downtown and the Bay.
- Objective 22: To reduce widths of selected streets to those which meet circulation needs and complement residential use.
- Objective 24: To provide sufficient off-street parking for residents.
- Objective 25: To encourage joint use of parking structures.
- Objective 26: To reduce congestion at bridge ramps by improving loading patterns.

⁴ These spaces can count in meeting a portion of each development's public open space requirement provided the areas are publicly accessible and are beautified with lighting, decorative paving, seating and landscaping. In addition to these open spaces on the designated blocks, public open space should be permitted to be provided in a variety of outdoor forms, on the ground floor or above, subject to review and approval by the City Planning Commission.

Objective 26, Policies,
Pedestrian Street:

Harrison and Folsom Streets, the Hill's two east-west streets, which are unpleasant for pedestrians, will remain as major vehicular traffic corridors regardless of what happens to the Embarcadero Freeway in the future. Therefore, as a key organizing feature of the *Rincon Hill Area Plan*, a new east-west circulation system should be created in the middle of the long blocks between Folsom and Harrison Streets. These accessways will establish a domestic scale reminiscent of the city's established residential neighborhoods, and when completed, will provide a pedestrian route from the top of the Hill to the Embarcadero Promenade on the waterfront. In some cases, the pedestrian street will also provide limited vehicular access.

The specific proposals for Assessor's Block 3747 (Fremont, Folsom, Beale, Harrison) are: Pedestrian access should be provided across this block at grade, but vehicular access is optional. Developers of the site should provide a stairway linking the upper Fremont Street section with lower Beale Street. A major opportunity for a small open space node exists at Fremont Street.

Objective 26, Policies,
Accessory Parking:

The parking requirements take into account the potential for joint use of parking space made possible by mixed-use development. The proximity to Downtown and proposed new transit make it possible to limit residential parking to one space per unit. Similarly, the parking requirement for offices can be reduced to one space per 1,500 square feet of commercial space.

Preservation

Objective 27:

To preserve and adaptively reuse those buildings in the area which have particular architectural or historical merit or which provide a scale and character of development consistent with the plan.

Proposed Plans and Policies

Rincon Hill Downtown Residential District

The Planning Department is currently working on a proposal for the rezoning of the Rincon Hill area (Rincon Hill Downtown Residential District, Case Number 2000.1081). The Planning Department proposes to replace the *San Francisco Planning Code's (Planning Code)* Rincon Hill Special Use District (*Planning Code* Section 249.1) with a new Rincon Hill Downtown Residential District, which would increase height limits, revise the "R" bulk district, amend the *Rincon Hill Area Plan* of the *General Plan*, and make other *General Plan* and zoning changes in the Rincon Hill area, intended to stimulate additional high density residential development in the Rincon Hill area. The

Rincon Hill Plan: Draft for Public Discussion, dated November 2003 (and *Proposed Plan Refinements*, dated March and September 2004), has been released by the Planning Department for public review and discussion, and represents various development scenarios that could occur if the plan were adopted by the Planning Commission and Board of Supervisors. The proposed *Rincon Hill Plan* controls are still under development, and final controls that differ from the current proposals could be adopted.

Current controls for Rincon Hill require a minimum 150-foot tower separation above a base height of 105 feet. The average floor area of all floors above 105 feet cannot exceed 7,500 square feet. However, certain minor exceptions have been sought and granted under code Section 270 such that the few tall buildings constructed in the area (e.g., 333 First Street and Avalon Towers) are slightly bulkier and closer together than envisioned under the original plan. To provide more slender, well-spaced towers that balance street-level neighborhood livability and the creation of a high-density Downtown neighborhood, the November 2003 *Rincon Hill Plan: Draft for Public Discussion* (and March 2004 refinements) identifies four urban form options, consisting of: (1) a 82.5-Foot Minimum Tower Separation Option, (2) a 115-Foot Minimum Tower Separation with Maximum 20 Percent Block Coverage Option, (3) a 150-Foot Minimum Tower Separation Option similar to existing controls, and (4) a Planning Department Preferred Option.

82.5-Foot Minimum Tower Separation Option. This option would have the smallest spacing between towers (82.5 feet) and would allow the greatest number of towers in the area (14 towers). It includes other sites where new podium buildings and towers might theoretically be built. Under this scenario, five or more towers per block would be allowed, a cluster of towers would occur on Fremont Street, between Harrison and Folsom Streets, and on Harrison Street, between Beale and Essex Streets.

The proposed tower bulk controls call for a maximum plan dimension of 100 feet and maximum diagonal dimension of 125 feet with a maximum average floor plate of 8,500 square feet. Individual floor area could not exceed the average floor area by more than 5 percent or be more than 8,925 square feet. The four towers recently approved at Folsom, Main and Spear Streets (201 Folsom Street/300 Spear Street) were designed to have 82.5 feet of separation between their towers.

115-Foot Minimum Tower Separation with Maximum 20 Percent Block Coverage Option. This option would require that a maximum of 20 percent of each block be developed above 85 feet in height. This scenario would allow approximately three towers per block, reduce the total number of towers in the area to eleven, and reduce the number of towers along Fremont Street and Harrison Street), add airiness to the skyline, and add sunlight to the district. The proposed 115-foot tower spacing requirement would include towers located across streets. The project block already contains the two existing Avalon Towers and an approved residential tower at 325 Fremont Street, which would constitute three residential towers. This would be the approximate limit on the number of towers per block under this option. This is the Planning Department's preferred option.

150-Foot Minimum Tower Separation Option. Under this option, tower spacing matches the existing Rincon Hill controls of 150 feet. The number of towers allowed in the area would be reduced to 10, since only one tower would be allowed for the One Rincon Hill project adjacent to the freeway. Otherwise, this option would be identical to the 115-Foot Minimum Tower Separation.

The proposed project's conformance to the *Rincon Hill Plan* is discussed on page 53.

Proposed Transbay Redevelopment Project Area Design for Development

North of the project site across Folsom Street, the proposed Transbay Redevelopment Project Area has been the focus of a number of land use and transportation planning efforts. The proposed approximately 40-acre Transbay Redevelopment Project Area is generally bounded by Mission, Main, Spear, Folsom, Essex, Harrison, Second, and Minna Streets.⁵ After the 1989 Loma Prieta Earthquake, a substantial portion of this area previously dominated by the Embarcadero Freeway was opened up as a result of freeway demolition; resulting parcels are now vacant and used for surface parking. Following freeway demolition, planning studies were initiated to reconsider the appropriate land use controls for the newly vacant area.

An early planning effort resulted in the *Transbay 20/20 Concept Plan*, a series of urban design and land use concepts, prepared by the Planning Department and the Redevelopment Agency in

⁵ San Francisco Redevelopment Agency and San Francisco Planning Department, *Transbay Redevelopment Project Area Design for Development*, October 2003. This report is on file and available for public review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

December 1996 to guide the revitalization of the Transbay Redevelopment Project Area.⁶ A Citizen's Advisory Committee and a Technical Advisory Committee were convened to provide community input and technical guidance to the project. In 1996, the Committee decided that a new Terminal should be built near the intersection of Howard and Main Streets, and that the existing Terminal site should be redeveloped. At the same time, the Joint Powers Board, which operates the Caltrain commuter service, was studying options to bring its rail station facilities, currently located at Fourth and Townsend Streets, to a Downtown location underground, near the site of the existing terminal.⁷ The *Transbay 20/20 Concept Plan* envisioned the creation of a new mixed-use neighborhood adjacent to the Downtown.

Subsequent efforts resulted in the *Transbay Terminal Improvement Plan*, prepared in January 2001 by the Metropolitan Transportation Commission, in conjunction with associated consultants. This plan presented the design concept for a new Transbay Terminal. It envisioned primarily high-density residential development on publicly owned parcels adjacent to the terminal and in the Rincon Hill area along Folsom and Beale Streets.⁸

A certified EIR/EIS (March 2004) covers the proposed new Transbay Terminal, the extension of CalTrain commuter rail service from Fourth and Townsend Streets to the Transbay Terminal, and a program-level description for the redevelopment of the underutilized parcels in the redevelopment area.⁹

The *Transbay Redevelopment Project Area Design for Development* document (October 2003) sets out a vision for future development within the proposed Transbay Redevelopment Project area. The

⁶ San Francisco Redevelopment Agency and San Francisco Planning Department, *Transbay 20/20 Concept Plan*, September 1996. This report is on file and available for public review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

⁷ San Francisco Redevelopment Agency, *Transbay Survey Area*, information available at <http://www.ci.sf.ca.us/sfra/tb.htm>.

⁸ Metropolitan Transportation Commission, *Transbay Terminal Improvement Plan*, January 2001, pages 18-19.

⁹ U.S. Department of Transportation, Federal Transit Administration, City and County of San Francisco, Peninsula Corridor Joint Powers Board, and San Francisco Redevelopment Agency, 2000.048E *San Francisco Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project EIS/EIR*, March 2004. This report is on file and available for public review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco, as part of Case File 2000.048E.

team of consultants, the Redevelopment Agency staff, and the Planning Department staff have developed the frameworks for land use, for circulation and parking, for streetscape and open space, and for development in the area. These frameworks address broad planning concerns, such as allowable land uses, maximum development, sidewalk improvements, and new public open spaces.¹⁰ The *Design for Development* includes use district changes and increases in height limits to increase building heights that are intended to encourage private development and public investment in the area, including joint development to facilitate transit improvements. The proposed policies and zoning changes have not been adopted, and therefore are not official City policy.

IMPACTS

SIGNIFICANCE CRITERIA

A project may result in significant adverse land use impacts if it: (1) substantially disrupts or divides the physical arrangement of an established community, or (2) has a substantial impact upon the existing character of the vicinity.

CHANGE IN LAND USE

The proposed project would change land use at the project site from office to high-density residential with below-grade parking. The proposed project would consist of an approximately 131,340-gross-square-foot building with approximately 88 dwelling units and 88 parking spaces, on a site that is currently occupied by two, two-story office buildings of about 30,417 gross square feet and three parking spaces.

The proposed change in land use would constitute a substantial physical change along the east side of Fremont Street. This change would not be a significant land use effect for the following reasons. In the recent past, the immediate project area has been characterized by a predominance of surface parking and industrial uses. A number of high-density residential uses have been built recently, are under construction, have recently been approved, or are being proposed near the proposed project site (discussed in more detail below). Therefore, the project vicinity is characterized by a rapidly changing urban landscape; it is transitioning from an industrial district with surface parking to a predominantly high-rise residential district close to Downtown.

¹⁰ Ibid.

The proposed residential use would be consistent with similar residential uses to the south, east and west, including Hills Plaza, Avalon Towers, and Embarcadero Lofts to the east, and the recently constructed Bridgeview Residential Tower to the south. The project would also be consistent with the approved 200-foot residential loft project at 325 Fremont Street, north of the project site in the same block of Fremont Street, and the recently constructed 333 First Street high-rise residential and mixed-use building complex to the west. The proposed project would further intensify the Rincon Hill residential uses north of Harrison Street, as envisioned in the *Rincon Hill Plan*.

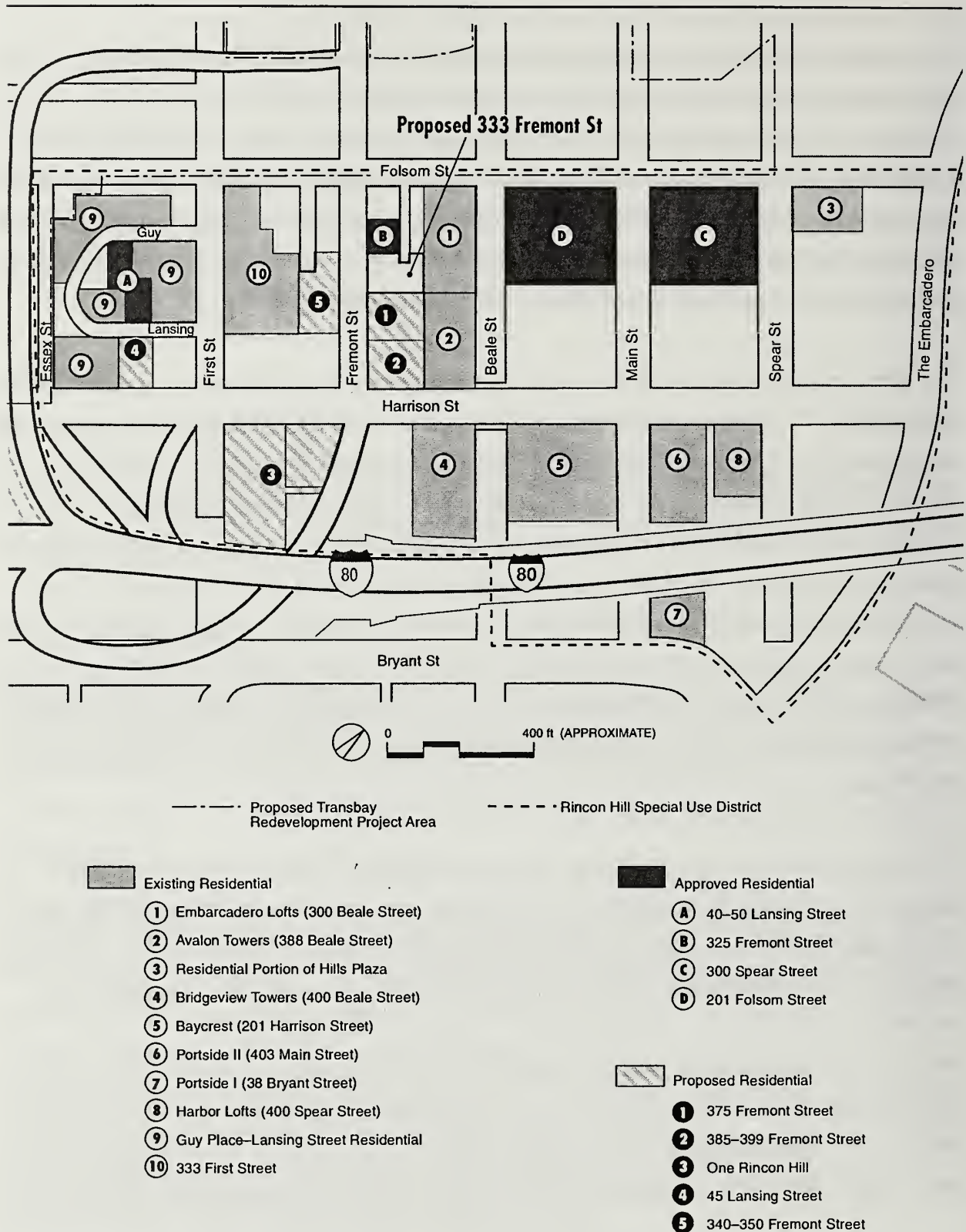
The proposed development would have a residential density of about one unit for each 157 square feet of site area.¹¹ There are several other high-rise residential buildings that already exist, have been recently constructed, are under construction, or have been proposed in the project vicinity. These are shown in Figure 8, page 54. For instance, in the same block as the proposed project, the 19-story 226-unit Avalon Towers at 388 Beale Street has a residential density of about one unit for each 178 square feet of site area. One block west of the project site, the 342-unit building under construction at 333 First Street will have a residential density of about one unit for each 111 square feet of site area. South of the project site across Harrison Street, the 245-unit Bridgeview Residential Tower building recently constructed at 400 Beale Street has a residential density of about one unit for each 113 square feet of site area. Higher densities are allowable through the Planned Unit Development (PUD) process.

The *Rincon Hill Plan: Draft for Public Discussion* identifies proposed zoning changes of a new Rincon Hill Downtown Residential District. If this plan were adopted by the Planning Commission, the accompanying zoning changes would be implemented. The proposed project design would conform with all options as it would be under 105 feet and the tower separations would not apply.

In general, potential conflicts with the *General Plan* are considered by the Planning Commission independently of the environmental review process, as part of the decision whether to approve or disapprove a proposed project. Any potential conflict not identified in this document could be considered in that context, and would not alter the physical environmental effects of the proposed

¹¹ The project proposes 88 residential units on a total land area of approximately 13,853 square feet.

III. ENVIRONMENTAL SETTING AND IMPACTS
A. Land Use, Zoning, and Plan Consistency



Source: San Francisco Planning Department

9 15 04

Residential Developments in Project Vicinity **Figure 8**

project. The Planning Department will make a determination regarding the conformity of the proposed project with applicable plans and zoning controls, and the extent to which the project is consistent with the eight Priority Policies.

ZONING AND PLAN CONSISTENCY

As discussed previously in Section II. Project Description, D. Project Approval Requirements, the proposed residential project is a permitted use and would conform with the existing zoning controls applicable in the Rincon Hill SUD. The proposed tower, however, would require Conditional Use authorization for construction above 40 feet in height in a residential district.

CONCLUSION: LAND USE

The proposed change in land use from the existing office buildings to the proposed high-density residential development would constitute a substantial intensification of land use at the project site. The change would not be a significant adverse land use impact as there are similar mid- and high-rise developments with compatible residential densities already existing, under construction, proposed, and recently approved near the development site, and because this portion of the Rincon Hill area is already in the process of changing from a predominantly industrial and parking district to a high-density residential district close to Downtown. The change in land use would further the goals of the existing *Rincon Hill Area Plan*, which recommends that the Rincon Hill area be developed as a residential neighborhood close to Downtown that contributes to the City's housing supply. The proposed project would add residential units to the community that is in the process of being established in the immediate project vicinity of the Rincon Hill area. The proposed residential use would be compatible with existing and planned high-density residential uses in the Rincon Hill area, and would be on a relatively small site within an already built area. Thus, proposed development would continue and extend existing land uses and would not disrupt or divide an established community, nor would it adversely affect the existing character of the vicinity. The proposed project would conform with the existing zoning controls applicable in the Rincon Hill SUD. Therefore, the proposed change in land use would not be a significant impact.

CUMULATIVE LAND USE IMPACTS

There are several large area projects currently under review at the Planning Department, including the *Rincon Hill Plan* (previously discussed on pages 48 to 50); the Transbay Redevelopment Area proposal (discussed in *Transbay Redevelopment Project Area Design for Development*, above); the Eastern Neighborhoods community planning process (for Bayview Hunters Point, Showplace Square/Potrero Hill, Mission and South of Market); and the Better Neighborhoods program. These plans will create the context for future growth throughout the City. The plan areas will compete for the limited amount of development that the market can produce, and not all of the development projected within these plans may be constructed.

In late 2001, the Planning Commission directed the Planning Department to initiate the Eastern Neighborhoods community planning process for four areas: Bayview Hunters Point, Showplace Square/Potrero Hill, Mission and South of Market, which do not include the project site at 333 Fremont. The purpose of this process was to address the broad range of issues involved in formulating permanent controls on the City's last remaining industrially zoned lands and its surrounding residential and commercial neighborhoods. The community process was to work collaboratively with the neighborhoods in the vicinity of these industrially zoned land to develop rezoning proposals that achieve both neighborhood and citywide land use goals. In early 2002, the Planning Department initiated a series of what became four to seven public workshops per neighborhood. Through the year-long process of public workshops, participants grappled with how the area's industrially zoned land should be used in the future. One of the goals of this process was to develop a new set of zoning regulations for four community planning areas of the Eastern Planning Neighborhoods which does not include the project site at 333 Fremont. In February 2003, the Department published the *Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook – First Draft*. Three rezoning options for housing in industrially zoned land are presented for each area: (A) Low Housing Option, (B) Moderate Housing Option, and (C) High Housing Option. The Eastern Neighborhoods contain about 38,870 existing housing units. Under Option A there could be potential for development of an additional 16,200 units; an additional 22,600 units under Option B; and an additional 28,500 units under Option C.

The Planning Commission's consideration of the options for each neighborhood can refine these options or develop new ones using ideas presented in the overall spectrum of options. Ultimately,

the main options for each neighborhood will be forged into a proposed rezoning for the Eastern Neighborhoods, a comprehensive effort consistent with the *San Francisco General Plan*. The adopted option would revise the existing *Planning Code*. The Draft EIR for the Eastern Neighborhoods is in the early stages of preparation.

The Planning Department has established the Better Neighborhoods 2002 program (which does not include the proposed project site at 333 Fremont), intended to help make San Francisco's urban neighborhoods better for those who live in them. The Better Neighborhoods program embraces the benefits of change to build more balanced and livable places in San Francisco. The program is two-tiered. Citywide, it aims to encourage housing where it makes sense and to strengthen neighborhoods. Locally, the program uses intensive community-based planning to refine citywide goals to the needs of the neighborhood. Above all, the program builds on the positive aspects of San Francisco's quality as an urban place. The Planning Department is currently preparing the first three neighborhood plans, which are: Market & Octavia, Central Waterfront, and Balboa Park.

As noted in Figure 8, page 54, there are a number of residential projects in Rincon Hill that have recently been constructed, are under construction, have been approved by the City and have not begun construction, or are currently in the entitlements and environmental review process. Currently four projects are being reviewed that are within a block of each other and include the proposed 333 Fremont Street project (88 residential units and below-grade parking spaces), 375 Fremont Street project (250 residential units and below-grade parking spaces), 385-399 Fremont Street (183 residential units and 224 below-grade parking spaces), and One Rincon Hill at 425 First Street (720 units and 375 off-street parking spaces). It should be noted that One Rincon Hill is considering installing lifts to double the number of parking spaces). The four projects would provide about 1,241 residential units and 937 to 1,312 off-street parking spaces. The cumulative land use impacts of the proposed projects would increase the density of residential use in Rincon Hill, however, the land uses are generally permitted and the use impacts would be less-than-significant.

In general, the proposed *Rincon Hill Plan* would encourage the continued development of Rincon Hill as a primarily residential neighborhood, consistent with the trend since the adoption of the existing *Rincon Hill Area Plan* in 1985, and particularly with the development over the last few years, while updating the existing Plan's implementation to ensure adequate separation between

towers and provide neighborhood services and amenities. The Plan would produce a change in the character of the area, but the change would be in keeping with City goals.

CONCLUSION: CUMULATIVE LAND USE IMPACTS

The proposed project would add to the intensity of land use within the Rincon Hill area, but the proposed project's 88 residential units would not be considered a significant addition to the projected residential housing stock in the City when considered within the context of year 2025 housing projections. Secondary impacts from the proposed residential land use could affect the capacity of the local road system, transit, schools, parks, public services, and utilities in the future. These potential impacts are discussed in the pertinent sections of this Draft EIR.

B. POPULATION AND HOUSING

SETTING

There is substantial demand for new residential units in San Francisco. The proposed project is located within the boundaries of the *Rincon Hill Area Plan*, an element of the *General Plan* that addresses the need for high-density residential uses in the Rincon Hill area, which is within easy walking distance of Downtown San Francisco.

There are currently no residents on the project site, and the buildings have been vacant since August 2000. The U.S. Census estimated the year 2000 population of San Francisco at 776,733.¹² The Association of Bay Area Governments (ABAG) projects San Francisco population to increase to 812,900 in 2010, and to 848,100 in 2020.

There are no employees currently in the vacant office buildings on the project site. The U.S. Census estimated year 2000 employment in San Francisco at 634,430.¹³ ABAG projects San Francisco employment to increase to 686,480 in 2010, and to 755,870 in 2020.

There has been a continuous demand for housing for over a decade.¹⁴ In March 2001, ABAG projected regional needs in the Regional Housing Needs Determination (RHND) 1999-2006 allocation. The jurisdictional need of San Francisco for 2006 is estimated to be 20,370 dwelling units or an average yearly need of 2,546 net new dwelling units.¹⁵ The Planning Department projects that the San Francisco housing stock will grow by 30,000 units between 2000 and 2025.¹⁶

¹² City and County of San Francisco Planning Department, Draft Housing Element of the *General Plan*, Part I, September 18, 2003, Graph I-1.

¹³ Ibid, Table I-6.

¹⁴ City and County of San Francisco Planning Department, Housing Element of the *General Plan*, February 2003, page 29.

¹⁵ Ibid, page 1.

¹⁶ City and County of San Francisco Planning Department, *Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook, First Draft*, February 2003. This report is on file and available for public review electronically on the Planning Department website, http://www.sfgov.org/site/planning_index.asp?id=25293.

The *Rincon Hill Plan: Draft for Public Discussion* identifies a total of 42,400 potential new housing units in the Downtown Neighborhoods Initiative planning area and surrounding areas.¹⁷ These areas are the Van Ness Corridor (400 units), Market/Octavia including South of Market (SoMa) West (7,500 units), C-3 District (4,500 units), Transbay Terminal Area (4,500 units), Rincon Hill (4,700 units), SoMa (8,900 units), Showplace Square (2,000 units), South Beach (100 units), Mission Bay (6,000 units), Yerba Buena Center (1,300 units), and Mid-Market (2,500 units).

IMPACTS

SIGNIFICANCE CRITERIA

A project may result in significant adverse population and housing impacts if it would: (1) displace substantial numbers of people (involving either housing or employment); (2) create a substantial demand for additional housing in San Francisco without including provisions to facilitate a supply of housing; or (3) substantially reduce the housing supply.

POPULATION AND HOUSING EFFECTS

As discussed in the Population Section of the Initial Study (see Appendix A), the proposed project would not displace housing or significant numbers of people, and project-generated population would not be a significant impact.

It is estimated that Rincon Hill will grow by about 3,650 to 4,865 units by the year 2020 (including projects recently constructed, under construction, or approved-but-unbuilt,¹⁸ which total about 2,020 units).¹⁹ The proposed project's 88 residential units would contribute 1.8 to 2.4 percent of Rincon Hill's cumulative growth, which would not be considered to be a significant impact.

¹⁷ City and County of San Francisco Planning Department, *Rincon Hill Plan: Draft for Public Discussion*, November 2003, and March and September 2004 refinements. This report is on file and available for public review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco, as part of Case File 2002.1081.

¹⁸ These projects include 300 Spear Street (820 units), 201 Folsom Street (725 units), 333 First Street (345 units; just completed), 40-50 Lansing Street (80 units; under construction), and 325 Fremont Street (51 units).

¹⁹ City and County of San Francisco Planning Department, *Rincon Hill Plan Draft Environmental Impact Report*, September 25, 2004, page 139. This report is on file and available for public review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco, as part of Case File 2000.1081E.

The *Rincon Hill Plan Draft EIR* anticipates about 5,000 to 6,700 additional residents in the Rincon Hill area by 2020, including residents of recently approved but not yet built and recently constructed projects²⁰ and assuming an average density of 1.4 persons per household.²¹ This cumulative growth in the Rincon Hill area would be approximately 0.7 to 0.9 percent of the 2002 San Francisco population of 755,800, and approximately 0.6 to 0.8 percent of the projected 2020 population of 848,100. The proposed project would add to the future population of San Francisco, and would contribute approximately 1.8 to 2.4 percent to the cumulative Rincon Hill growth of 5,000 to 6,700 new residents. The project's 123 new residents would not be considered a substantial addition to the projected population of the City. Secondary population impacts from the proposed project could affect the capacity of the local road system and, transit in the future. Each of these potential impacts are discussed in the pertinent sections of this Draft EIR.

The proposed project would support about two janitorial, maintenance and building management employees. Approximately 108 employees could be accommodated in the existing vacant office buildings on the site. The project would therefore result in a net displacement of potentially about 106 jobs on the project site. Because the existing buildings are currently vacant, the amount of employee displacement would not be substantial.

²⁰ These projects include 300 Spear Street (820 units), 201 Folsom Street (725 units), 333 First Street (345 units; just completed), 40-50 Lansing Street (80 units; under construction), and 325 Fremont Street (51 units).

²¹ City and County of San Francisco Planning Department, *Rincon Hill Plan Draft Environmental Impact Report*, September 25, 2004, page 138, op cit.

C. TRANSPORTATION²²

SETTING

The existing conditions (including traffic, transit, parking, pedestrians and bicycles) presented in this analysis are based on observations and counts conducted in 2000 and 2003, plus the most recent data obtained from the San Francisco Municipal Railway (Muni) and the regional transit operators.

TRANSPORTATION STUDY AREA

The transportation analysis established study areas and analysis locations around the project site for traffic, transit, and parking. These study areas are shown on Figure 9, on page 63.

ROADWAY NETWORK

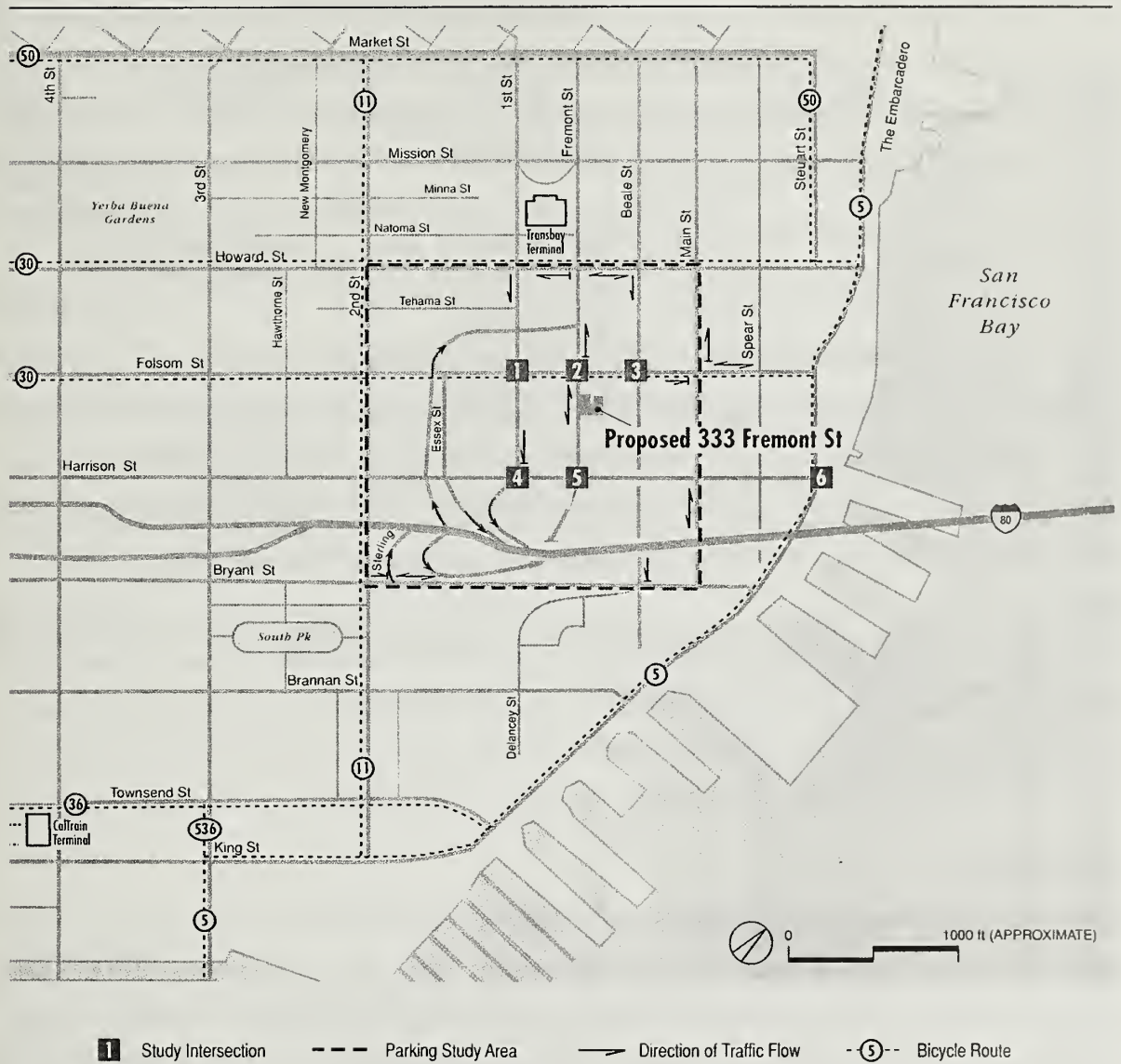
Regional Freeways

The project site is served by Interstate 80 (I-80), U.S. 101 and Interstate 280 (I-280). I-80 provides the regional access to the project area. The San Francisco-Oakland Bay Bridge is part of I-80 and connects San Francisco with the East Bay. Access to the project site is via the Fremont Street, Harrison Street and the Fourth and Bryant off-ramps, and access to I-80 eastbound is via the First Street, Essex Street and Sterling Street (high-occupancy vehicles only) on-ramps (eastbound) and the Fourth/Harrison on-ramp (westbound). I-80 joins U.S. 101 to the southwest of the project site and provides access to the Peninsula and South Bay. In addition, U.S. 101 connects San Francisco and the North Bay via the Golden Gate Bridge. I-280 provides regional access from the South of Market Area of downtown San Francisco to southwest San Francisco and the South Bay/Peninsula. Nearby access points to I-280 are located at King Street near Fifth Street, and Sixth Street at Brannan Street.

Local Streets

In the South of Market Area, streets that run in the northwest/southeast direction are generally considered north-south streets, whereas streets that run in the southwest/northeast direction are generally considered east-west streets. Table 1, on page 64, presents the *San Francisco General Plan* designations for the streets in the vicinity of the project site.

²² The information in this section is from the *333 Fremont Street Transportation Study – Final Report*, May 28, 2004, Case No. 2002.1263E, prepared by LCW Consulting. This report is on file and available for public review by appointment at the San Francisco Planning Department, located at 1660 Mission Street, Fifth Floor, San Francisco.



Source: LCW Consulting, Clement Designs

9-17-04

Transportation Study Area and Analysis Locations Figure 9

Table 1				
San Francisco General Plan Street Designations ⁽¹⁾				
Street	Vehicular ⁽²⁾	Transit ⁽³⁾	Pedestrian ⁽⁴⁾	Bicycle ⁽⁵⁾
Howard Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Important)	—	- Citywide Bicycle Route
Folsom Street	- Major Arterial in CMP Network - MTS Street	—	—	- Citywide Bicycle Route
Harrison Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Important)	- Neighborhood Commercial Street	—
Main Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Oriented)	—	—
Beale Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Oriented)	—	—
Fremont Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Oriented)	- Neighborhood Commercial Street	—
First Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Oriented)	- Neighborhood Commercial Street	—

CMP = Congestion Management Program. MTS = Metropolitan Transportation System roadways.

Notes:

- (1) *San Francisco General Plan*, Transportation Element. Appendix B in this EIR includes the definition of the various General Plan designations.
- (2) Transportation Element, Maps 6-8, pp. I.4.32-34.
- (3) Transportation Element, Map 9, p. I.4.42.
- (4) Transportation Element, Maps 11-12, pp. I.4.55-56.
- (5) Transportation Element, Map 13, p. I.4.59.

Howard Street

Howard Street runs between The Embarcadero and South Van Ness Avenue. It is a two-way arterial with two travel lanes in each direction between The Embarcadero and Fremont Street, and a one-way arterial west of Fremont Street with four travel lanes in the westbound direction. On-street parking is provided on both sides of the street; however, parking is prohibited along the north curb during the p.m. peak period to provide an additional travel lane.

Folsom Street

Folsom Street is a four-lane eastbound one-way arterial from Main Street to Eleventh Street, and is a two-way arterial with three eastbound lanes and one westbound lane between Main Street and The Embarcadero. Within the vicinity of the project site, Folsom Street has on-street parking on both sides of the street, and a 5-foot-wide bicycle lane on the south side of the street.

Harrison Street

Harrison Street runs between The Embarcadero and Norwich Street (south of Cesar Chavez Street). Harrison Street operates two-way between The Embarcadero and Third Street, one-way westbound between Third and Tenth Streets, and two-way between Tenth and Norwich Streets. Between Beale and First Streets, Harrison Street has one eastbound and three westbound travel lanes, and 8-foot-wide sidewalks and on-street parking on both sides of the street.

Main Street

Main Street is a north-south roadway that runs between Market and Bryant Streets. South of Folsom Street, Main Street is a two-way roadway with one northbound travel lane and two southbound travel lanes. North of Folsom Street, Main Street operates one-way northbound only, with three travel lanes. Main Street has both metered and unrestricted parking on both sides of the street.

Beale Street

Beale Street is a north-south street that runs between Market and Bryant Streets, and ends in a cul-de-sac south of Bryant Street. Beale Street underneath I-80/Bay Bridge has been temporarily closed since September 2001, and it is not currently known if the closure is temporary or permanent. In the vicinity of the project site, Beale Street has three travel lanes and on-street parking on both sides of the street.

Fremont Street

Fremont Street is a north-south arterial that runs between Harrison and Market Streets. Two off-ramps from eastbound I-80 touch down on Fremont Street (at Harrison Street, and mid-block between Howard and Folsom Streets). North of Folsom Street, Fremont Street operates one-way northbound only, with two to four travel lanes. Adjacent to the project site, Fremont Street has 10-foot-wide sidewalks.

First Street

First Street is a one-way southbound arterial between Market and Harrison Streets and provides access to eastbound I-80 and the Bay Bridge. Between Market and Howard Streets, one of the four travel lanes is dedicated for transit vehicles only. First Street has on-street parking on both sides of the street.

INTERSECTION OPERATIONS

Operating characteristics of intersections are described by the concept of Level of Service (LOS). LOS is a qualitative description of an intersection's performance based on the average delay per vehicle. Intersection levels of service range from LOS A, which indicates free flow or excellent conditions with short delays, to LOS F, which indicates congested or overloaded conditions with extremely long delays. LOS A through D are considered excellent to satisfactory service levels, LOS E is undesirable, and LOS F conditions are unacceptable.

Existing weekday p.m. peak hour intersection operating conditions are presented in Table 2, on page 67. During the weekday p.m. peak hour, four of the six study intersections currently operate with acceptable conditions (LOS D or better), and two intersections operate with unacceptable operating conditions (LOS F). The two intersections that currently operate at LOS F conditions are located on the primary approaches to I-80 and the Bay Bridge (Folsom/First and Harrison/First). In general, the high volume of traffic destined to the Bay Bridge cannot be accommodated in the single-lane Bay Bridge on-ramp. The resulting queue of vehicles on the main access routes to the freeway, including First Street and Harrison Street, result in high levels of congestion on the lanes accommodating Bay Bridge-bound vehicles.

It should be noted that Beale Street underneath I-80/Bay Bridge was closed in September 2001. Since this closure has not been made permanent, changes were not made to the intersection analysis. In general, however, the effect of this closure has been a shift in traffic volumes from Beale Street to Main Street and The Embarcadero. Since the other study intersections in the nearby vicinity currently operate at acceptable conditions, any rerouting of traffic would not substantially change the results of the analysis.

<p align="center">Table 2</p> <p align="center">Intersection Level of Service</p> <p align="center">Existing and Existing plus Project Conditions – Weekday PM Peak Hour</p>				
	Existing		Existing plus Project	
	Delay ^{(1),(2)}	LOS	Delay ^{(1),(2)}	LOS
1. Folsom/First	>60	F	>60	F
2. Folsom/Fremont	7.7	B	7.6	B
3. Folsom/Beale	14.5	B	14.4	B
4. Harrison/First	>60	F	>60	F
5. Harrison/Fremont	36.2	D	36.7	D
6. Harrison/The Embarcadero	15.1	C	15.2	C

Source: LCW Consulting, May 2004.

Notes:

- (1) Delay presented in seconds per vehicle.
- (2) Increases in traffic volumes at an intersection usually result in increases in the overall intersection delay. However, if there are increases in the number of vehicles at movements with low delays, the average weighted delay per vehicle may decrease.

TRANSIT NETWORK

The project site is in an area served by public transit, with both local and regional service provided near the project site by the San Francisco Municipal Railway (Muni), Bay Area Rapid Transit (BART), SamTrans, Golden Gate Transit, and AC Transit. The project site is located within walking distance of the Transbay Terminal and the Ferry Building, both major transit connection locations, and four blocks north is Market Street, where access to Muni Metro and BART is provided at the Embarcadero Station. Local service is provided by the Muni bus and light rail lines, as shown on Figure 10 on page 68. Service to and from the East Bay is provided by BART, AC Transit, and ferries; service to and from the North Bay is provided by Golden Gate Transit buses and ferries; service to and from the Peninsula and South Bay is provided by Caltrain, SamTrans, and BART.

The availability of Muni and regional transit service capacity was analyzed in terms of a series of screenlines.²³ Four screenlines have been established in San Francisco to analyze potential impacts

²³ Screenlines are hypothetical lines that would be crossed by a person traveling between Downtown and its vicinity and other parts of San Francisco and the region.



Existing Transit Network and Stop Locations **Figure 10**

of projects on Muni service: Northeast, Northwest, Southwest and Southeast, with sub-corridors within each screenline. Three regional screenlines have been established around San Francisco to analyze potential impacts of projects on the regional transit carriers: East Bay (AC Transit, BART, ferries), North Bay (Golden Gate Transit buses and ferries) and South Bay (BART, Caltrain, SamTrans). The screenline analysis focuses on transit trips in the outbound direction (i.e., trips from greater downtown San Francisco to other parts of the City and the region) because the outbound direction reflects the peak direction of travel and patronage loads for transit carriers during the p.m. peak period.

As a means to determine the amount of available space within each screenline, capacity utilization is used, which relates the number of passengers per transit vehicle to the design capacity of the vehicle. Muni has established a capacity utilization service standard which includes seated and standing capacity, with standees representing somewhere between 30 percent to 80 percent of seated passengers, depending upon the specific transit vehicle configuration. Thus, Muni screenlines, and subcorridors within these screenlines, that are at or near capacity operate under noticeably crowded conditions with many standees. For all regional transit operators, the capacity is based on the number of seated passengers per vehicle. All of the regional transit operators except BART have a one-hour load factor standard of 100 percent, which would indicate that all seats are full. BART has a one-hour load factor standard of 135 percent, which indicates that all seats are full and an additional 35 percent of the seating capacity are standees (i.e., 1.35 passengers per seat). All Muni screenlines and sub-corridors are currently operating below the capacity utilization standard and have available capacity to accommodate additional passengers. All regional transit providers operate at less than their load factor standards, which indicates that seats are generally available.

PARKING CONDITIONS

Parking conditions were determined for the weekday midday period (1:00 to 3:00 p.m.) and the weekday evening period (6:30 to 8:00 p.m.). There are ten off-street public parking facilities in the study area, providing about 1,000 spaces.²⁵ During the weekday midday period, the parking occupancy at these facilities is at about 92 percent of capacity. Most of the study area parking

²⁵ 333 Fremont Street Transportation Study – Final Report, May 28, 2004, LCW Consulting, op. cit.

facilities serve downtown employees and generally close sometime between 6:00 and 8:00 p.m. Although vehicles may remain in the facilities after this time, no new vehicles are accepted. However, three facilities in the study area are open 24 hours a day.²⁶ Combined, these facilities provide about 190 spaces and operate at about 25 percent of capacity during the weekday evening period.

On-street parking is available adjacent to the project site on Fremont Street. In general, on-street parking within the vicinity of the project site is comprised of metered and unmetered spaces, with one-hour and two-hour limits. In addition, there are several yellow loading zones located near businesses. On-street parking is well-utilized throughout the day; however, during the weekday midday period, available parking spaces were found on the streets adjacent to the project block. During the evening, the occupancy is substantially lower due to the few nighttime uses in the area.

PEDESTRIAN CONDITIONS

In the vicinity of the proposed project site, there are 10-foot-wide sidewalks on Fremont Street, and 8-foot-wide sidewalks on Folsom and Harrison Streets, with the majority of the pedestrian trips related to the facilities on the project block or to the two parking lots located at the southwest and southeast corners of the intersection of Fremont and Harrison Streets. In the vicinity of the project site, pedestrian volumes are relatively light throughout the day. During field surveys, the sidewalks and crosswalks adjacent to the proposed project site were observed to be operating under satisfactory conditions, with pedestrians moving at normal walking speeds and with freedom to bypass other pedestrians.

BICYCLE CONDITIONS

In the vicinity of the project site, Folsom Street, Howard Street, Second Street and The Embarcadero are designated Citywide Bicycle Routes (see Figure 9, page 63, which illustrates the designated bicycle routes). These routes are interconnected to the Citywide Bicycle Network and provide access to and from the study area from locations throughout the city. Route #30 runs eastbound along Folsom Street and westbound along Howard Street. On Howard Street, Route #30 is a Class III facility (signed route only) between The Embarcadero and Fifth Street, with a wider curb lane

²⁶ Includes facilities that do not post an evening closing time (may not have parking attendant).

provided between Spear and Third Streets, and a Class II facility (signed route with bicycle lane) between Fifth and Eleventh Streets. On Folsom Street (between Third Street and The Embarcadero) Route #30 is a Class II (signed route with bicycle lane) facility with a 5-foot-wide bicycle lane on the south side of the street. Route #11 runs along Second Street and is Class III between Market and King Streets. Route #5 runs in both directions along The Embarcadero and is a Class II facility. Route #50 runs along Market Street to Steuart Street and connects with Route #30 eastbound.

During field surveys, few bicyclists were observed to be riding in the vicinity of the project site, primarily along The Embarcadero and Folsom Street. In general, during both the weekday midday and evening periods, bicycle conditions were observed to be operating acceptably, with only minor conflicts between bicyclists, pedestrians, and vehicles. Due to congestion on Essex Street from the on-ramp to the Bay Bridge, vehicles turning right from Folsom Street to Essex Street often use the Folsom Street bicycle lane as a second right-turn lane, which can affect bicycle circulation and result in vehicle/bicycle conflicts.

IMPACTS

SIGNIFICANCE CRITERIA

The San Francisco Planning Department has established significance criteria to assess transportation impacts associated with a project.

Intersections

The operational impact on signalized intersections is considered significant when project-related traffic causes the intersection level of service (LOS) to deteriorate from LOS D or better to LOS E or F, or from LOS E to LOS F. The project may result in significant adverse impacts at intersections that operate at LOS E or F under existing conditions depending upon the magnitude of the project's contribution to the worsening of the average delay per vehicle. In addition, the project would have a significant adverse effect if it would cause major traffic hazards or contribute considerably to cumulative traffic increases that would cause deterioration in levels of service to unacceptable levels.

Transit

The project would have a significant effect on the environment if it would cause a substantial increase in transit demand that could not be accommodated by the available transit capacity, resulting in unacceptable levels of transit service; or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result. With the Muni and regional transit screenlines analyses, the project would have a significant effect on the transit provider if project-related transit trips would cause the capacity utilization standard to be exceeded during the weekday p.m. peak hour.

Parking

San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines Section 15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." As noted, the project site is within one block of Muni transit lines, parking lots, and bicycle routes.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

Pedestrians

The project would have a significant effect on the environment if it would result in substantial overcrowding on public sidewalks, create potentially hazardous conditions for pedestrians, or otherwise interfere with pedestrian accessibility to the site and adjoining areas.

Bicycles

The project would have a significant effect on the environment if it would create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas.

Loading

The project would have a significant effect on the environment if it would result in a loading demand during the peak hour of loading activities that could not be accommodated within the proposed on-site loading supply or within on-street loading zones, and if it would create potentially hazardous traffic conditions.

Construction

Construction-related impacts generally would not be considered significant due to their temporary and limited duration.

ANALYSIS METHODOLOGY

Project Travel Demand

To estimate the number of new person-trips that would be generated by the project, trip generation rates were applied to the proposed residential space and calculated on a weekday daily and p.m. peak-hour basis. These person-trips were distributed to eight geographical areas, including the four quadrants of San Francisco, the East Bay, the North Bay, the South Bay, and outside the area, and were assigned to the various available travel modes (including auto, transit, walk, and other modes). Both the distribution and the choice of travel mode (mode split) of the trips were based upon the type of land use and the purpose of the trip, plus the geographic distribution of residents and employment in the Bay Area and the availability of the various travel modes. The number of vehicle trips generated by the project was determined from the auto person-trips and an average vehicle occupancy.

Person-trip generation for the residential land uses was based on rates compiled by the San Francisco Planning Department and published in the *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*SF Guidelines*). The trip distribution, mode split, and average vehicle occupancy rates were obtained from the 1990 and 2000 U.S. Census journey-to-work data.

The proposed residential use would generate approximately 793 person-trips on a weekday daily basis and 137 person-trips during the p.m. peak hour. Table 3 below presents the person-trips and vehicle-trips generated by the new use during the p.m. peak hour. About 49 new vehicle trips would be generated by the project during the weekday p.m. peak hour, of which about 67 percent (33 trips) would be inbound to the project site, and 33 percent (16 trips) would be outbound from the project site.

Table 3					
Project Trip Generation by Mode – Weekday PM Peak Hour					
Land Use	Person-Trips				Vehicle Trips
	Auto	Transit	Walk/Other⁽¹⁾	Total	
Residential	54	27	56	137	49

Sources: *SF Guidelines*; 2000 U.S. Census; LCW Consulting, May 2004.

Note:

(1) "Other" mode includes bicycles, motorcycles, and taxis.

Overall, approximately 83 percent of the person-trips would travel within San Francisco, with 9 percent to and from the East Bay, 6 percent to and from the South Bay, 1 percent to and from the North Bay, and 1 percent to and from outside the region. During the p.m. peak hour, about 39 percent of the person-trips would be via auto, 20 percent via transit, and 41 percent via walking and other modes.²⁷

The proposed residential use would generate a demand for 118 long-term parking spaces. Peak residential parking demand would occur overnight, although a portion would also occur during the day.

Delivery/service-vehicle trip generation and demand for loading spaces for the project were estimated based on the methodology and assumptions provided in the *SF Guidelines*. In total, the project would generate about three daily delivery/service-vehicle trips. The project would have a demand for less than one loading space during the peak and average hours of loading activities.

EXISTING-PLUS-PROJECT CONDITIONS

Traffic Impacts

The project would generate about 33 inbound and 16 outbound vehicle trips during the weekday p.m. peak hour. These trips were distributed to the local and regional roadway network based on the origin/destination of each trip (from the trip distribution rates), the street directions and the proposed driveway. As shown on Table 2, page 66, the addition of project-generated traffic would result in a relatively small change in the average delay per vehicle at the study intersections, and all six study intersections would continue to operate at the same service levels as under Existing conditions. The two study intersections that operate at LOS F under Existing conditions (Folsom/First and Harrison/First) would continue to operate at these unacceptable levels.

Vehicle trips generated by the proposed project would travel through two intersections that currently operate at LOS F (eleven vehicle trips at the intersection of Folsom/First and four vehicle trips at the intersection of Harrison/First). These poor operating conditions are generally due to the high volume of vehicles that are approaching I-80/Bay Bridge. At the intersection of Folsom/First, the left-most travel lane on First Street does not experience the same amount of congestion as the other travel

²⁷ 333 Fremont Street Transportation Study – Final Report, May 28, 2004, LCW Consulting, op. cit.

lanes. Since this lane does not go to the Bay Bridge on-ramp (vehicles turn left onto Folsom Street, or continue into a left turn only lane at the approach to Harrison Street), the traffic volumes are relatively low and the lane does not experience queued conditions. Since vehicles destined to the proposed project would use this left-most lane to access Folsom Street and then Fremont Street, they would not substantially worsen the operations at the intersection of Folsom/First Street. At the intersection of Harrison/First, the proposed project would contribute up to three vehicle trips to movements that currently operate at unacceptable levels of service. This would not be a substantial contribution.

Access to the project parking garage would be on Fremont Street. Fremont Street, between Harrison and Folsom Streets, contains two northbound and one southbound travel lanes. Since existing traffic volumes are relatively low (about 250 northbound and 180 southbound vehicles per hour during the p.m. peak hour), it is not anticipated that access to the parking garage would impede vehicular travel on Fremont Street. There are no Muni bus lines on Fremont Street adjacent to the project block, and therefore project-generated vehicle-trips entering and exiting the project garage would not impact Muni service in the vicinity of the project site.

In summary, the proposed project would not cause study intersections currently operating at LOS D or better to operate below LOS D, and would not substantially contribute to the two study intersections currently operating at LOS F. Therefore, the project would not cause significant traffic impacts.

Transit Impacts

The project would generate about 18 inbound and 9 outbound transit trips during the weekday p.m. peak hour. These transit trips to and from the proposed project would utilize the nearby Muni lines and regional transit lines, and may include transfers to other Muni bus and light rail lines, or other regional transit providers. With implementation of the proposed project, the four Muni screenlines and the three regional transit screenlines would continue to operate below their respective capacity utilization and load factor standards. In addition, it was estimated that the new inbound transit trips generated by the project would not substantially affect transit service in the inbound direction, and the project would not substantially affect nearby transit service.

In the immediate vicinity of the project site, the transit lines generally have available capacity during the weekday p.m. peak hour that could be used to accommodate the inbound and outbound transit trips generated by the proposed project. In addition, it is anticipated that some people would walk the three and a half blocks (approximately 2,300 feet) to and from Market Street to access the bus lines, Muni Metro, or BART at the Embarcadero station (instead of taking a bus and transferring), and some would walk about 1,600 feet to the Muni Metro station at Embarcadero and Folsom. For these reasons, the proposed project would not substantially affect transit service, and no significant transit impacts would occur.

Parking Impacts

The existing *Planning Code* requirements for the Rincon Hill Special Use District (Section 249.1(c)(5)(a)) would limit the proposed project to 88 parking spaces (one parking space per unit), of which four would need to be handicapped-accessible. The proposed project would supply a total of 88 parking spaces for the residential units (one space per unit), all of which would be independently accessible. Also included are four handicapped-accessible parking spaces on the first level of the parking garage. As such the proposed project would meet the existing *Planning Code* requirements.

The proposed project would generate a long-term residential parking demand for about 118 spaces. The long-term residential demand generally occurs during the evening and overnight hours. The long-term parking demand of 118 spaces would not be accommodated within the parking supply of 88 parking spaces, which would result in a shortfall of 30 spaces. This shortfall could be accommodated on-street or in nearby off-street parking facilities that provide overnight parking.

During the weekday midday, the residential parking demand is estimated to be about 80 percent of the overnight parking demand, or about 94 spaces. It is anticipated that a portion of the 30 overnight parking space shortfall would remain parked on-street or in off-street facilities during the day. Since the proposed project would provide 88 parking spaces, there would be a shortfall of between 6 and 30 parking spaces during the midday period. Based on a proposed project shortfall of between 6 and 30 parking spaces, the weekday midday parking occupancy in the study area would increase from 92 percent to 95 percent. The existing curb cut on the south portion of the Fremont Street frontage would be converted to yellow zone and the existing fire hydrant and red zone would remain. The

new curb cut for the parking garage and the proposed passenger loading/unloading (white) zone would eliminate two of the three on-street spaces immediately adjacent to the project site.

In summary, the proposed project's parking shortfall of 30 spaces could be accommodated within the parking study area near the project site. The project would not result in significant primary or secondary impacts resulting from the parking shortfall.

It should be noted that the Planning Department is currently pursuing the proposed Rincon Hill Downtown Residential District (Case No. 2000.1081E), which may include a parking maximum of one space for every two residential units. Should the *Planning Code* requirements be revised, the proposed project would be able to provide a maximum of 44 parking spaces, and would need to request a Conditional Use Authorization to provide the additional 44 spaces.

Pedestrian Impacts

Pedestrian trips generated by the proposed project would include walk trips to and from the residential use plus walk trips to and from the local and regional transit operators, and some walk trips to and from nearby parking facilities. Overall, the project would add about 83 pedestrian trips (27 to/from transit and 56 walk/other) to the surrounding streets during the weekday p.m. peak hour. It is anticipated that a majority of the new pedestrian trips during the weekday p.m. peak hour would be to and from Market Street, the Transbay Terminal area, and The Embarcadero. These new pedestrian trips could be accommodated on the existing sidewalks and crosswalks adjacent to the project site and would not substantially affect the current pedestrian conditions along Fremont Street or Folsom Street. As these sidewalks are eight to ten feet wide and currently have low pedestrian activity, pedestrian conditions would continue to remain acceptable, and would not result in significant environmental impacts.

The Planning Department's proposed Rincon Hill District plan envisions widening of sidewalks in the vicinity of the proposed project to allow for pedestrian circulation as well as open space and streetscape opportunities. Folsom Street is envisioned to have sidewalk widening on the north side of the street through building setbacks, or on both sides of the street through reduced roadway right-of-way. Main, Beale, and Spear Streets between Folsom and Bryant Streets are also envisioned to have sidewalk widening through reduced roadway right-of-way.

Bicycle Impacts

The San Francisco *Planning Code* would require the project to provide six bicycle parking spaces. The project would supply eight bicycle parking spaces, to be located on the first level of the parking garage. The eight bicycle spaces would meet and exceed the *Planning Code* requirements for bicycle parking.

The project site is within convenient bicycling distance of downtown San Francisco, the Financial District, and major transit hubs (Ferry Building, Transbay Terminal, and Caltrain). As such, it is anticipated that a portion of the "other" trips generated by the proposed project would be bicycle trips, which would utilize the bicycle routes along Second Street, Howard Street, Folsom Street, and The Embarcadero. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to affect bicycle travel in the area, and would not result in significant environmental impacts.

Loading Impacts

Since the proposed project would provide less than 100,000 square feet of residential uses, the San Francisco *Planning Code* would not require the project to provide any off-street loading spaces. However, it is anticipated that a 40-foot-long passenger loading/unloading (white) zone would be established in front of the project. The proposed passenger zone would displace two parking spaces and one parking space would remain. The project sponsor would request DPT to relocate the yellow loading/unloading zone at the curb-cut on Fremont Street in front of the proposed pedestrian entrance to the project. In addition to a yellow zone, there is currently a fire hydrant that would remain. In total, the proposed project would generate a demand for less than one loading space during both the average and the peak hour of loading activities, and therefore it is anticipated that the loading demand would be accommodated within the proposed passenger zone.

Passenger loading/unloading would occur from the proposed passenger zone, which would be able to accommodate up to two vehicles. In addition, it is anticipated that taxis would use the white zone to pick-up and drop-off passengers.

For garbage/recycling pickup, it is anticipated that access to the trash containers (located in the first parking level) would be provided via a roll-up gate at Zeno Place. Since Zeno Place is about 18 feet in width and there is no location for vehicles to turn around at the terminus, trucks would need to back into the alley to access the trash receptacles. Since garbage/recycling pick-up would occur in the very early morning hours (e.g., about 4:00 a.m.), garbage/recycling pickup would not interfere with traffic on Folsom Street, however, there could be early-morning noise impacts up to two to three times a week. Although the short-term noise increase would be a nuisance to nearby residents it would not be significant.

Construction Impacts

It is anticipated that construction of the project would take approximately 12 to 18 months, to begin in mid-2005 and to be completed in 2006. Construction-related activities would typically occur Monday through Saturday from 7:00 a.m. to 6:00 p.m. It is anticipated that periodic work may occur earlier and later and on Sundays, on an as-needed basis.

Construction staging would occur primarily within the site and from the adjacent sidewalk on Fremont Street. It is anticipated that the sidewalk along the project site frontage on Fremont Street would be closed throughout the construction duration, and that a temporary pedestrian walkway would be constructed in the adjacent parking lane. Since there are no Muni bus stops along the project site frontage, it is not anticipated that any Muni bus stops would need to be relocated during construction of the proposed project. It is anticipated that no regular traffic lanes would need to be closed during construction. However, if it is determined that temporary traffic lane closures on Fremont Street would be needed, the closure would be coordinated with the City in order to minimize the impacts on local traffic. In general, lane and sidewalk closures are subject to review and approval by the Department of Public Works (DPW) and the Interdepartment Staff Committee on Traffic and Transportation (ISCOTT).

During the construction period, there would be a flow of between 20 to 80 per day construction-related trucks into and out of the site. It is anticipated that the majority of the construction-related truck traffic would use I-80/U.S. 101 and I-280 to access the project site from the East Bay and South Bay. The impact of construction truck traffic would be a temporary lessening of the capacities of

streets due to the slower movement and larger turning radii of trucks, which may affect both traffic and Muni operations.

On average, there would be between 20 and 80 construction workers per day at the project site, depending on the phase. The trip distribution and mode split of construction workers are not available. However, it is anticipated that the addition of the worker-related vehicle- or transit-trips would not substantially affect the transportation conditions, as any impacts on the vehicle and transit network would be similar, or less than, those associated with the project. In addition, the construction workers would cause a temporary parking demand. Since the nearby parking facilities currently have some availability during the day, it is anticipated that construction worker parking demand could be accommodated without substantially affecting areawide parking conditions.

The construction activity of the proposed project may overlap with the construction of other proposed projects in the area, notably the proposed projects at 375 Fremont Street, 385-399 Fremont Street, and 425 First Street (One Rincon Hill). The construction activities associated with these projects would affect access, traffic operations, and pedestrian movements. It is anticipated that the construction manager for each project would work with various departments of the City (DPT, Muni, the Fire Department, etc.) to develop a detailed and coordinated plan that would address construction vehicle routing, traffic control, and pedestrian movement adjacent to the construction area for the duration of the overlap in construction activities.

The construction schedule of the proposed project could overlap with the seismic retrofit of the Bay Bridge and its approaches. Work on the western span of the Bay Bridge is currently underway, and is expected to be completed by the end of 2004. There would be a one-year overlap between construction of the proposed project and the Bay Bridge retrofit work on the towers and superstructure. Work on the west approach to the Bay Bridge would also be conducted throughout the construction duration of the project.

Ramp closures associated with the west approach phase of the seismic retrofit project would somewhat affect access to and from the project, during both the project's construction and operation. However, no access streets to the ramps (e.g., First Street, Fremont Street) are anticipated to be closed as part of the construction efforts. Overall, Bay Bridge construction activity is anticipated to

be concentrated in the area adjacent to the Bay Bridge span and approach, and is not expected to substantially affect traffic operating conditions in the vicinity of the proposed project.

2020 CUMULATIVE CONDITIONS

Methodology

Future year 2020 Cumulative traffic and transit conditions were based on the projections developed for the South of Market Area for the *300 Spear Street/201 Folsom Street Transportation Study*.²⁸ The San Francisco County Transportation Authority countywide travel demand forecasting model was used to develop the traffic and transit forecasts for cumulative development and growth through the year 2020 in the region, as well as to determine travel demand to and from the South of Market Area. This approach resulted in a cumulative impacts assessment for year 2020 conditions that takes into account both the future development expected in the South of Market Area, as well as the expected growth in housing and employment for the remainder of San Francisco and the nine-county Bay Area.

Through the year 2020, only minor changes have been identified on the roadways within the study area that would affect local circulation and intersection operating conditions. These include:

- As planned in the *Alternatives to the Replacement of the Embarcadero Freeway and Terminal Separator Structure FEIS/FEIR*,²⁹ the Fremont Street off-ramp from westbound I-80 will be modified. The current off-ramp, which touches down on Fremont Street mid-block between Howard and Folsom Streets, will be reconfigured to establish a second leg of the off-ramp that will provide access to Folsom Street. Design for this off-ramp is currently under discussion between Caltrans and the City and County of San Francisco.
- The only major transit improvements identified to occur by 2020 that would affect transit service in San Francisco are the Third Street Light Rail Project and the BART extension to the San Francisco Airport and Millbrae (service to the San Francisco Airport was initiated in June 2003).

²⁸ Wilbur Smith Associates, *300 Spear Street/201 Folsom Street Transportation Study – Final Report*, January 31, 2002. This report is on file and available for public review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco, as part of Case File 2000.1073E.

²⁹ *Alternatives to Replacement of the Embarcadero Freeway and Terminal Separator Structure Final EIS/EIR*, September 1996. This report is on file and available for review by appointment at the San Francisco Planning Department, 1660 Mission Street, 4th Floor, San Francisco, as part of case files no. 92.202E & 94.060E.

2020 Cumulative Traffic Impacts

Between 2000 and 2020 Cumulative conditions, weekday p.m. peak hour traffic volumes at the study intersections are anticipated to increase between 15 and 95 percent. Table 4 below represents the 2020 Cumulative weekday p.m. peak hour intersection operating conditions. Overall, three of the six study intersections would operate at LOS F under 2020 Cumulative conditions (as compared to two intersections under Existing and Existing-plus-Project conditions). In general, the poor operating conditions would occur along the primary access routes to the Bay Bridge, including the intersections of Folsom/First, Harrison/First, and Harrison/Fremont.

Table 4				
Intersection Level of Service				
Existing and 2020 Cumulative Conditions – Weekday PM Peak Hour				
	Existing		2020 Cumulative	
	Delay ^{(1),(2)}	LOS	Delay ^{(1),(2)}	LOS
1. Folsom/First	>60	F	>60	F
2. Folsom/Fremont	7.7	B	26.8	D
3. Folsom/Beale	14.5	B	15.8	C
4. Harrison/First	>60	F	>60	F
5. Harrison/Fremont	36.2	D	>60	F
6. Harrison/Embarcadero	15.1	C	28.0	D

Source: LCW Consulting, May 2004.

Notes:

- (1) Delay presented in seconds per vehicle.
- (2) Increases in traffic volumes at an intersection usually result in increases in the overall intersection delay. However, if there are increases in the number of vehicles at movements with low delays, the average weighted delay per vehicle may decrease.
- (3) It should be noted that in the *Rincon Hill DEIR*, September 25, 2004, the operating conditions at the intersection of Folsom/Beale are reported for conditions with the closure of Beale Street. The changes proposed with the *Rincon Hill Plan* would result in a significant impact at the intersection of Folsom/Beale Street, and the intersection LOS would change from LOS B under Existing conditions to LOS E under 2020 Baseline plus Project and 2020 Cumulative conditions.

The project's contribution to the three study intersections that would operate at LOS F during the weekday p.m. peak hour would be less than four percent of the traffic growth at the intersections and substantially less to the movements that would operate poorly under 2020 Cumulative conditions. The project contribution would not represent a considerable contribution to 2020 Cumulative conditions, and the project would not have a significant traffic impact.

2020 Cumulative Transit Impacts

Between Existing and 2020 Cumulative conditions, transit ridership demand is projected to increase by 22 percent at the four Muni screenlines combined, by 72 percent at the regional East Bay screenline, by 42 percent at the regional North Bay screenline, and by 233 percent at the regional South Bay screenline.

Under 2020 Cumulative conditions, three of the four Muni screenlines would operate at less than capacity (only the Southeast screenline would operate at capacity). In addition, each regional transit operator would continue to operate at less than their load factor standards, except BART to the South Bay.³⁰ The proposed project would contribute less than 1.0 percent to the cumulative Muni and regional transit ridership, and alone would not substantially affect the peak hour capacity utilization of each screenline. Therefore the project would not have a significant environmental impact on transit under 2020 Cumulative conditions.

³⁰ BART staff has indicated that they would be able to lengthen the South Bay trains, if necessary, to accommodate future demand. Currently, two of the four lines have 10-car trains, one line has 9-car trains and one line has 8-car trains. With this change, the load factor would be less than the BART standards.

D. HISTORIC ARCHITECTURAL RESOURCES³¹

This section discusses project impacts to historic architectural resources. Other cultural resources impacts related to archeological and paleontological resources were found to be less than significant in the Initial Study (Appendix A) and, therefore, are not analyzed in this EIR.³²

The assessment of project impacts on historic architectural resources analyzes whether the project site is an historic architectural resource or contains historic architectural resource, and if the site were to contain historical resources, a determination is made as to the extent the proposed project would cause a substantial adverse change to the resources. Architectural surveys, designations, and evaluations completed for the site are summarized in this section, including historical and architectural information from an evaluation prepared by Page & Turnbull preservation architects and a staff evaluation by the State Historic Preservation Office.³³

SETTING

This section includes information on the history, architecture, and significance of the existing building on the project site.

Constructed in 1913, the Edwin W. Tucker & Co. building at 329-349 Fremont Street³⁴ was determined individually eligible for the National Register under Criterion "C" on August 14, 1995, under 36 Code of Federal Regulations (CFR) 800, implementing regulations for Section 106 of the National Historic Preservation Act. This action resulted in the automatic listing of the property in the California Register of Historical Resources. On August 7, 2003, the State Historic Preservation Commission reaffirmed this rating, and the 347-349 Fremont Street Edwin W. Tucker & Co. building remains on the California Register of Historical Resources.

³¹ Information for this section is primarily from The Edwin W. Tucker & Co. Building, 347-349 Fremont Street, San Francisco, California, Historic Resources Study, April 2003, prepared by Page & Turnbull, Historic Architecture consultants. This report is available for review by appointment in File Number 2002.1263E at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

³² For purposes of this report, the term "historic architectural resources" is synonymous with "historic resources" under CEQA Guidelines, Section 15064.5. The former term is used here to exclude archeological resources.

³³ Cynthia Howse, Historian II, State Historic Preservation Office, *Edwin W. Tucker & Co. Building, San Francisco County, San Francisco, Request to Remove from the California Register, Staff Evaluation*, August 2003.

³⁴ The multiple addresses, 329-349 Fremont Street, all pertain to the same lot and assessor's block number: Lot 19, Block 3747.

A 1994 Caltrans/Federal Highway Administration Historic Properties Survey Report (HPSR) assigned a National Register Status Code of "2S2" meaning that it has been formally determined to be eligible for listing in the National Register of Historic Places by a consensus determination. CEQA Guidelines Section 15064.5(a)(3) defines "historical resources" to include buildings that meet the criteria for listing on the California Register of Historical Resources.

HISTORY OF RINCON HILL³⁵

The area now known as Rincon Hill was originally occupied by the Costanoan, or Ohlone Indians. Although European settlement of what is now San Francisco originally took place as early as 1776, it took another three-quarters of a century and American rule for the village to expand beyond its traditional location around Portsmouth Square, about a mile northwest of the project site.

The discovery of Gold at Sutter's Mill in 1848 unleashed a population explosion in San Francisco as thousands of would-be miners and associated profiteers made their way around Cape Horn or overland to the heretofore isolated outpost on the edge of the continent. Between 1846 and 1852, the population of San Francisco mushroomed from around one thousand people to almost 35,000.

During the mid-1800s, Rincon Hill roughly included the area between present day Third, Spear, Folsom and Bryant Streets, including the proposed project site. The shoreline before 1850 is estimated to have been 300 feet to the east of Rincon Hill. Due to its sunny weather, good views, and relative distance from Downtown, Rincon Hill became home to San Francisco's wealthy in the early 1850s. At the same time housing was being constructed, the maritime industry was also developing along the area's waterfront, resulting in the construction of wharves, commercial rows, seafarers services, retail centers and industrial development on and around the Hill. In 1869, to provide better access to the wharves and industries along Mission Bay, a major street reconstruction, the Second Street Cut, was undertaken by the city. An atmosphere of decaying gentility lingered on for another two decades until the 1906 earthquake and fire destroyed the last vestiges of Victorian Rincon Hill. Because of the importance of the neighborhood in the early history of San Francisco, Rincon Hill is designated a California Historic Landmark (No. 84). An official state plaque is mounted in the remaining wall of the Saint Mary's Hospital at Rincon and Bryant Streets.

³⁵ This section is from the Page & Turnbull Report, op. cit.

Originally conveyed as an entire block, the parcel presently occupied by 347-349 Fremont Street had been purchased and subdivided as early as the Gold Rush. In 1853, there were sixteen buildings on the block with one located on the site of the project site. By 1886, the block was largely built out, and contained several industrial facilities, however, the majority of the Fremont Street frontage remained residential in character with two- and three-story multi-family flats interspersed among smaller workingmen's cottages. What is now the project site (present-day 333 and 347-349 Fremont) contained six dwellings and several outbuildings. The smaller lot (347-349) contained a large three-story flat with a two-story addition and three sheds at the rear of the lot. In 1899, the project site was still comprised of four separate parcels with six dwellings, although two cottages had been demolished and replaced with larger multi-family dwellings.

Following the 1906 catastrophe, Rincon Hill was slow to rebuild. The only people who made their homes in Rincon Hill immediately after the earthquake were workers and seamen. Although the lower reaches of Rincon Hill, particularly along Second, Fremont, and Beale Streets (between Folsom and Harrison), were gradually rebuilt with machine shops, union halls, and warehouses, the crest of Rincon Hill was taken over by squatters who built small shacks made of scrap lumber and corrugated iron. These shacks were eventually torn down in the early 1930s for the construction of the San Francisco-Oakland Bay Bridge, completed in 1936.

Rincon Hill became an important regional distributing center. Many wholesalers and "warehousers" took advantage of its location that was close to the port, the rail network and the central district of the Bay Region's largest city and next to a bridge connection with the growing East Bay Area. After World War II, shipping modes went from rail to truck, and Rincon Hill diminished in importance as a distribution center.

Currently, the east and west sides of the project block on Fremont Street between Folsom and Harrison Streets contain nine buildings and three vacant parcels. Construction dates for the buildings span the years 1906 to 1979. Stylistically, the buildings include three from the post-quake Reconstruction Period (1906-1920), five from the Loss of Dominance Period (1920-1945), and four that are less than 50 years of age, including the Brutalist-styled PG&E Embarcadero Substation (410

Folsom) constructed in 1979. There is no definable physical or stylistic continuity to the project vicinity owing to the diversity of sizes, styles and periods of the buildings.

HISTORY OF THE EXISTING 329-333, 347-349 FREMONT STREET BUILDINGS³⁶

The building at 347-349 Fremont Street was constructed in the summer of 1913 according to Building Permit #50478, on file at the San Francisco Department of Building Inspection. The Edwin W. Tucker & Co. building cost \$2,300 to erect and was used as a machine shop until the outbreak of the Second World War. It was used for production of marine products until the 1960s when it was converted to a warehouse.

The building at 329-333 Fremont, a two-story, Gothic Revival/Art Deco reinforced-concrete industrial structure was constructed in 1930 by the American Engraving Company for use as a print shop.

In the late 1960s, Beatrice Foods purchased the American Engraving Company building and linked the two buildings together sometime in the early 1970s, although no permits exist to record this alteration. In 1982, the company consolidated Lots 9 and 10 into one parcel, Lot 19,³⁷ and the building address became 333 Fremont Street.

Beatrice Foods began renting the mezzanine spaces in the 347-349 Fremont Street building to several commercial photographers in the late 1970s. This change in use reflected a growing trend in San Francisco's South of Market Area, characterized by an exodus of light industry and warehousing to the suburbs, in search of lower taxes, parking and single-story buildings with modern loading docks. This exodus was accompanied by an influx of design and graphic arts companies to the South of Market and Rincon Hill area. Reflecting this trend, in 1985 Beatrice Foods sold 333 and 347-349 Fremont Street to Techtron Graphic Arts Company and throughout the 1980s the two buildings housed a large graphic arts company. The buildings were used as a graphics arts facility until the project sponsor purchased them in 2000 and converted the space to office use.

³⁶ Page & Turnbull Report, op. cit.

³⁷ San Francisco Recorder's Office, Lot Merge, recorded February 26, 1982.

THE 347-349 FREMONT STREET BUILDING³⁸

The building's footprint completely covers the original lot. The building is one story in height with a basement and two mezzanines, one facing the street and the other facing the rear (east) property line. The Fremont Street facade, south, and east walls are partially fenestrated (contain windows). The mezzanine sections feature flat roofs and the machine shop has a gable roof punctuated by skylights. The gable roof is concealed from view by a stepped parapet gable, which is approximately 25 feet in height from the sidewalk to the crest of the parapet. Structurally, 347-349 Fremont Street is a timber-frame building with a concrete foundation, brick footings, rustic channel siding, and wood windows and trim. Ornamentation is sparse, consisting for the most part a stepped cornice and decorative window hoods. The facade has undergone relatively few alterations. Several sections of the interior have been substantially altered to accommodate a change in use and as a result, only some of its character-defining features survive intact.

Exterior: Facade

The facade of 347-349 Fremont is extremely simple, befitting its historical use as a machine shop. The facade proportions are vertical in orientation, with the stepped parapet gable adding vertical emphasis to an otherwise simple polygonal shape. The first floor features a modern, solid-core man door on the left side. The man door opening originally contained a recessed glazed panel door. To the right of the man door is a large vehicular entry. This opening is original and until recently it contained a pair of historic panel doors. The doors were removed as part of the 2000 remodel and the opening is now boarded up, concealing a modern aluminum-framed glass storefront. The upper half of the facade corresponds with the mezzanine level and is punctuated by a row of three evenly spaced window openings. The facade terminates in a false parapet roof crowned by a small gable. A classically detailed cornice embellishes the otherwise unadorned parapet. The facade is in overall fair condition although many of the wood elements show evidence of pronounced water infiltration and resulting deterioration.

South Wall

A portion of the building's south wall is visible from Fremont Street due to the presence of a loading dock on the adjacent property at 355-375 Fremont Street. The concrete foundation is partially exposed along the lower portion of the wall. The first-story level of the wall corresponds with the

³⁸ This section is from the Page & Turnbull Report, op. cit.

former machine shop within and is punctuated by two large window openings fitted with multi-lite steel industrial sash. To the east of these openings is an original sliding wood door. Although much of the glass appears to have been repaired or replaced, the windows themselves appear to be original. The south wall also displays evidence of prolonged water infiltration and consequent deterioration.

East Wall

The east, or rear, wall is visible from Beale Street, and features an addition constructed between 1913 and 1920. The addition cantilevers out beyond the original structure by approximately 15 feet. In sharp contrast to the rest of the building, which is clad in rustic channel siding, the east wall is clad in aluminum siding. The first floor is articulated by three rectangular window openings, each of which was originally fitted with a double-hung wood window. These are no longer present. The upper part of the east wall is punctuated by three openings. The outer openings were fitted with double-hung wood windows and which have been sealed.

North Wall

The north wall of the building is largely obscured from view by the adjacent building to the north. The original fenestration was infilled following the construction of the American Engraving Company building in 1930.

Vestibule

The 2000 conversion of 347-349 Fremont Street from a printing facility into an office building resulted in the reconfiguration of the entrance. The historic doors were removed and a new aluminum storefront inserted at an angle about 10 feet from the sidewalk. The resulting space between the sidewalk and the storefront was converted into an open-air vestibule. Most of the materials in this space date from the 2000 remodel. The flooring consists of several varieties of slate. The walls are clad in fiberglass reinforced paneling (FRP). The ceiling is unfinished; after the original ceiling materials were removed, floor joists of the mezzanine above were exposed to view. The joists have been sandblasted, causing considerable damage to the wood.

POLICY AND REGULATORY FRAMEWORK

Historic Resources

As noted at the beginning of this section, an "historical resource" is defined as one that is listed in, or determined eligible for listing in, the California Register of Historical Resources, one that is identified as significant in a local register of Historical Resources, such as Article 10 and Article 11 of the *Planning Code*, or one that is deemed significant due to its identification in an historical resource survey meeting the requirements of Public Resources Code Section 5024.1(g). A resource that is deemed significant because of its identification in an historical resource survey meeting the requirements of Public Resources Code Section 5024.1(g) is presumed to be historically significant unless a preponderance of evidence demonstrates otherwise.

Commonly used criteria to determine an "historical resource" are those used to establish eligibility for the National Register of Historic Places. Because of their widespread application, they are highlighted below. However, the California Environmental Quality Act (CEQA) identifies other avenues to recognition as an historical resource, such as eligibility for listing on the California Register of Historical Resources or a local register, or inclusion in qualified surveys for a building, site, object, or district (CEQA Section 21084.1 and CEQA Guidelines 15064.5). These means of acknowledging an historical resource are summarized in this section and under the discussion of "Significance Criteria." In addition, CEQA Guidelines 15064.5(a)(3) and (a)(4) allow the City, as the lead agency, to determine that a building may be considered an historic resource for purposes of CEQA review even in the absence of a local landmark designation or listing or any determination of eligibility for listing under the State Register criteria.

National Register of Historic Places

The National Register of Historic Places is the nation's most important and comprehensive inventory of known historic resources. The National Register, as it will be referred to henceforth, is administered by the National Park Service and includes buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archeological, or cultural significance at the national, state, or local level. Typically, resources over 50 years of age are eligible for listing in the National Register if they meet any of the criteria. However, resources under 50 years of age can be determined eligible if it can be demonstrated that they are of "exceptional importance," or if they are contributors to a potential historic district.

National Register criteria are defined in depth in *National Register Bulletin Number 15: How to Apply the National Register Criteria for Evaluation*. There are four basic criteria under which a structure, site, building, district or object can be considered eligible for listing in the National Register.³⁹ These are:

- Criterion A (Event): Buildings that are associated with events that have made a significant contribution to the broad patterns of our history;
- Criterion B (Person): Buildings that are associated with the lives of persons significant in our past;
- Criterion C (Design/Construction): Buildings that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master; and
- Criterion D (Information Potential): Buildings that have yielded, or may be likely to yield, information important in prehistory or history.

A resource can be considered significant to American history, architecture, archeology, engineering, and culture. Once a resource has been identified as being potentially eligible for listing in the National Register, its historic integrity must be evaluated. The National Register recognizes seven aspects or qualities that, in various combinations, define integrity. These aspects are: location, design, setting, materials, workmanship, feeling and association. In order to be determined eligible for listing, these aspects must closely relate to the resource's significance and must be intact.

National Register Evaluation⁴⁰

The project sponsor believes that the 347-349 Fremont Street Edwin W. Tucker & Co. building has lost its historic qualities and requested that the structure be reevaluated. The discussion below is a current evaluation of the building applying the National Register criteria.

Criterion A

The building at 347-349 Fremont Street does not appear to be eligible for individual listing in the National Register under Criterion A (Events). According to the 1994 Caltrans Report (see Criterion C discussion below), the building is significant for the following reasons:

³⁹ In 2000, San Francisco's Landmark Preservation Advisory Board adopted the National Register criteria as the official measure to determine eligibility of historic resources.

⁴⁰ This section is from the Page & Turnbull Report, op. cit.

"This is a very rare wood frame building, rebuilt in the fire zone, following the events of 1906. Together with the Wilbert Blacksmith Shop, they represent the kinds of structures found here in the prefire city. Said to be a replica of an 1897 structure which occupied this site before the 1906 holocaust, it was built sometime between 1906 and 1913, when the first post-fire Sanborn insurance maps became available, it gives the impression of being much older. This building is associated with the events that have made a significant contribution to the broad patterns of our history, and also embodies the distinctive characteristics of both the pre-fire neighborhood and the post fire reconstruction period in a way that few buildings in the area can. It does possess integrity of location, design, setting, materials and workmanship, feeling and association, and consequently appears to qualify for National Register listing under criteria A and C."

This argument, although well reasoned in many ways, does not apply to Criterion A (Events). Although the building's association with the 1906 earthquake and fire is mentioned, its precise linkage with the events is not discussed in any meaningful way. First, it should be noted that 347-349 Fremont was *not* built as a replica of a pre-1906 building. According to the 1899-1900 Sanborn insurance map, the building that occupied the site before the earthquake was a two-story flat with a bay window and a flat roof. The existing building, while also wood frame, is a two-story machine shop with a flat facade and a gable roof.

Secondly, the 347-349 Fremont building was not built between 1906 and 1913 as the Caltrans survey erroneously stated. Rather, building permit records indicate that the building was erected in the second half of 1913. Evidence shows that the building does not represent a linkage between the pre-fire and post-fire South of Market Area. Whereas the project block was overwhelmingly residential in character prior to the disaster, it was rebuilt as a predominantly industrial district after 1906.

Finally, it should be noted that in order to be found eligible for listing in the National Register under Criterion A, "the property must have an important association with the event or historic trends, and it must retain historic integrity." *National Register Bulletin #15 "How to Apply the National Register Criteria for Evaluation,"* states:

"Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered

*important as well. For example, a building historically in commercial use must be shown to have been significant in commercial history."*⁴¹

The 347-349 Fremont building does not meet the test provided in the National Register's guidelines. Furthermore, researching newspaper archives, city directories and block books do not reveal the presence of any historically significant or influential businesses or manufacturers within the building. The building at 347-349 Fremont does not appear to be eligible for listing under Criterion A.

Criterion B

Thorough evaluation of San Francisco city directories, building records and newspaper indexes do not reveal the names of any persons significant in the past that can be associated with the building. Therefore, the 347-349 Fremont building does not appear to be eligible for listing under Criterion B.

Criterion C

The 1994-95 Caltrans HPSR maintains that 347-349 Fremont is eligible for listing under National Register Criterion C as an example of a rare wood-frame building in the reconstructed South of Market that recalled the form, construction techniques, and overall feeling of pre-fire buildings in the area. Documentary evidence seems to point to other conclusions. While it is indeed true that there are today very few wood-frame industrial structures left in the project area dating from the immediate post-quake reconstruction, it is doubtful that the building is necessarily reflective of the district prior to 1906. As mentioned above, an analysis of the 1899-1900 and 1905 Sanborn maps, show that prior to 1906, the project block was characterized by a mixture of building types, although most were two- and three-story Italianate flats, very different from 347-349 Fremont in every respect aside from building technology.

As a building type, the building at 347-349 Fremont is perhaps better representative of temporary buildings built immediately *after* the 1906 Earthquake and Fire throughout much of the South of Market Area. With land ownership in flux, insurance settlements in doubt and the economy performing at a less-than-desirable level, many property or business owners either did not rebuild immediately or simply built cheap wood-frame "temporary" structures to house their businesses or

⁴¹ U.S. Department of the Interior, National Park Service, National Register Bulletin 15: *"How to Apply the National Register Criteria for Evaluation,"* (Washington, D.C.: Rev. 1998), page 12.

pay the mortgage on the land. In most cases these wood-frame buildings built within the fire limits would be demolished and replaced once finances allowed.

Based on the fact that the building is an inexpensive wood-frame structure (it cost only \$2,300 to build) and that it resembles other temporary structures long-since demolished, it is probable that 347-349 Fremont was constructed as a "temporary" structure. This would not be particularly surprising as its builder, Edwin Tucker, did not own the property when he built it.

A "temporary" building is not necessarily precluded from being significant. This building, however, does not appear to be eligible under Criterion C in the context identified in the 1994 Caltrans HPSR. Furthermore, the building is not eligible for individual listing in the National Register under Criterion C as "a work of a master," or as a resource that possesses "high artistic value." On the other hand, the building may embody the distinctive characteristics of a "type, period, or method of construction" because it is a moderately intact example of a wood-frame machine shop constructed in the first decade after the 1906 Earthquake and Fire in San Francisco. This being said, it is also important to mention that the resource must be demonstrated to be "significant" either at the local, state, or national level and that it must be able to illustrate the historic context to which it belongs.

In the case of 347-349 Fremont, the building fails to meet this "significance" threshold. In terms of its type (a machine shop), and period (post-1906 reconstruction) the building is quite typical of what took place in the South of Market following the 1906 Earthquake. In terms of its method of construction (wood-frame) the building also shares much in common with the temporary wood-frame temporary structures that typically went up in the half-decade after 1906, before economic security and ownership stability allowed for the erection of more permanent masonry buildings on larger consolidated lots. Its character-defining features include its timber frame and rustic channel siding; its regular arrangement of double-hung wood or steel casement windows and entrances; its simple rectangular proportions; its large open interior workspaces with exposed truss ceilings and mezzanines and its full lot coverage. Many such buildings were erected in the South of Market that conformed to this typology between 1906 and 1920, although after 1920 the construction of large reinforced-concrete loft buildings rapidly supplanted the smaller wood-frame machine shops of which 347-349 Fremont is representative. Within several blocks of the building there is a similar building that retains a higher degree of integrity, the Edwin Klockars Blacksmithing Shop (City

Landmark No.149) on the south side of Folsom, between First and Fremont Streets. As a result, the 347-349 Fremont building does not appear to be eligible for individual listing under Criterion C.

Criterion D

Evaluation of Criterion D (Information Potential) is beyond the scope of this report, having been thoroughly examined in a separate archeological cultural resources report (See the Page & Turnbull report Appendix A: *Archeological Cultural Resources Evaluation of the Proposed 333 Fremont Street Project*). The conclusion of this analysis is that the 347-349 Fremont building does not appear to be eligible for listing under Criterion D.

Integrity

According to *National Register Bulletin #15*, integrity is defined as "the ability of a property to convey its significance." Historic properties either retain integrity or they do not. After a resource is evaluated for significance, it must be demonstrated that it retains the ability to convey its significance. For the purposes of evaluating historical resources, integrity is composed of seven aspects: location, design, setting, materials, workmanship, feeling and association. Although there are exceptions for interior-oriented structures such as theaters or religious buildings, the discussion of integrity in relation to the National Register is typically concerned with the exteriors or important interior spaces that are accessible to the general public. In the case of 347-349 Fremont, it retains some integrity of location, but little integrity of setting, workmanship, feeling and association and partial integrity of design and materials. Alterations, particularly on the ground floor level, have removed some of the most important character-defining features, particularly the pair of swinging doors that appear on the building as late as 1994. In addition, a flag pole that appears on the building as late as 1976 is missing. The missing doors and flagpole could be restored with modern construction. This could lead to a more sufficient degree of integrity, though not authentic, to convey its significance. In its current condition, the building does not possess the level of integrity required for listing in the National Register.

California Register of Historical Resources

The California Register is a list of significant architectural and historical resources in California. In essence, the criteria used by the California Register are the same as those used by the National Register although some modifications have been made for resources significant within California.

Resources that are formally listed in or determined eligible for the National Register are automatically listed in the California Register. The California Register evaluates a building's eligibility for listing based on the following four criteria or associations:

- Criterion 1 (Event): Buildings that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- Criterion 2 (Person): Buildings that are associated with the lives of persons important to local, California, or national history;
- Criterion 3 (Architecture): Buildings that embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values;
- Criterion 4 (Information Potential): Buildings or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California or the nation.

The process of determining integrity is similar for the California Register as it is for the National Register. The same seven variables listed above in the National Register section: location, design, setting, materials, workmanship, feeling and association, are used to evaluate a resource's eligibility for listing in the California Register. A critical distinction between the two registers however is the degree of integrity that can remain and still be considered eligible for listing. According to *California Office of Historic Preservation Technical Assistance Series #6, "California Register and National Register: A Comparison"*:

"It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the National Register, but they may still be eligible for listing in the California Register. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if it maintains the potential to yield significant or historical information or specific data."

Because the analysis presented above for each of the National Register criteria would equally apply for the most part to the California Register, the historic architectural resources consultant concluded that the Edwin W. Tucker & Co. building does not appear to qualify for individual listing in the California Register.⁴² Although the building does have a level of significance as an example of a post-quake and fire wood-frame industrial machine shop (under Criteria C and 3), its significance is

⁴² Page & Turnbull Report, op. cit.

limited to the natural progression and reconstruction of the South of Market Area of San Francisco, and not as an individually significant resource.

Caltrans Survey

Within the past two decades, several highway project undertakings utilizing federal funds took place within the project vicinity. Lead agencies have included the San Francisco Redevelopment Agency, the Federal Highway Administration (FHA), the Department of Energy and the California Department of Highways and Transportation (Caltrans). As part of their responsibilities, these agencies were required to evaluate the effects that their proposed undertakings may have on potential historic districts and resources. As noted above, in 1994-95, consultants employed by the FHA and Caltrans prepared an Historic Properties Survey Report (HPSR) for the proposed Mid-Embarcadero Terminal Separator Structure Project. The Area of Potential Effects (APE) included the project site, and the evaluator assigned 347-349 Fremont the National Register Status Code (NRSC) of "2S2," meaning that, in their opinion, the building was "determined eligible for separate listing through a consensus determination by a federal agency and the State Historic Preservation Officer." The report, which was based very closely on the 1983 HPSR prepared by Caltrans for the I-280 Transfer Concept Program, found that the 347-349 Fremont building was significant under Criterion A (Events) and C (Architecture).

Local Registries

Landmarks Article 10

Article 10 of the *San Francisco Planning Code* contains a list of all designated San Francisco Landmarks and Historic Districts. The Edwin W. Tucker & Co. building at 347-349 Fremont Street is not listed in Article 10 of the *San Francisco Planning Code* as an individual landmark and is not listed in any designated historic district.

Downtown Preservation Buildings Article 11

Categories similar to those adopted by *Splendid Survivors* by the Foundation for San Francisco's Architectural Heritage (discussed in Local Architectural Surveys, below) were later utilized in the development of San Francisco's Downtown Plan, and have been codified in Article 11 of the *Planning Code*. Architecturally important downtown buildings are divided into four categories, two of which are deemed "Significant" and two which are deemed "Contributing." "Significant"

buildings are judged to be of individual importance as architecture, or have a high composite in terms of architecture and context, for which demolition is prohibited. "Contributing" structures have a slightly lower rating, and are essentially valued for their contribution to the context, rather than for any singular architectural distinction. The 347-349 Fremont Street building is not listed in *Downtown Preservation Buildings Article 11*.

Local Architectural Surveys

1976 Citywide Survey. This survey was compiled by the San Francisco Planning Department. It was a two-year survey that inventoried the city's approximately 146,000 structures, and rated them for visual or architectural appeal. The findings, compiled in an unpublished 60-volume manuscript housed at the Planning Department, document 10,000 of these structures (about 5 percent of the city's total), which were given ratings ranging from a low of "0" to a high of "5." The survey assessed each building's architectural importance but made no references to historical associations. Each building was given a summary rating that averaged the findings for architectural significance and the building's relationship with its surroundings. It has been widely reported that the survey's "best" buildings, those rated "3" or better, comprise the top two percent of the city's buildings, but no statistics are available to verify this claim. The 347-349 Fremont Street building was rated "1" of contextual value in the survey. Following the passage of the 1984 ballot initiative Proposition "M" (known as the "reasonable growth" initiative), Section 101.1 of the *Planning Code* was implemented, providing for a review of proposed projects for consistency with the *General Plan* Policies of Neighborhood Conservation (Section 101.1(b)(2)), and Protection of Historic Buildings (Section 101.1(b)(7)).

The Foundation for San Francisco's Architectural Heritage. Heritage is the City's oldest not-for-profit organization dedicated to increasing awareness and preservation of San Francisco's unique architectural heritage. Heritage has completed several large scale intensive surveys throughout the City, the most important of which was the 1978 Downtown Survey. This survey, published in book form as *Splendid Survivors* in 1978, forms the basis of San Francisco's Downtown Plan. Heritage ratings, which range from D (minor or no importance) to A (highest importance) were converted into Categories V through I and incorporated into Article 11 of the *San Francisco Planning Code*. During the 1980s, the Downtown Survey was expanded to pick up peripheral areas such as the South of Market. Although not included in *Splendid Survivors*, in 1985 Heritage surveyed 347-349

Fremont and gave it a rating of "C." According to ratings methodology developed by Heritage, a rating of C means that a resource may be of contextual importance. The full definition is as follows:

"Buildings which are distinguished by their scale, materials, compositional treatment, cornice, and other features. They provide the setting for more important buildings and they add visual richness and character to the downtown area. Many C-group buildings may be eligible for the National Register as part of historic districts."

According to the evaluation sheet prepared for the building, its highest scores were for its age (1913), style (industrial), historical patterns (pre-World War I development), and integrity. This survey has not been formally adopted by the City and County of San Francisco, and therefore does not contribute to its formal status or listing on any register.

CONCLUSION

The 347-349 Fremont Street Edwin W. Tucker & Co. building was determined individually eligible for the National Register under Criterion "C" on August 14, 1995. This action resulted in the automatic listing of the property in the California Register of Historical Resources. San Francisco Planning Department's 1976 Architectural Quality Survey rated the Tucker building "1," indicating that it was of contextual significance. In 1983, San Francisco Architectural Heritage surveyed the Tucker building and rated it "C," suggesting that it may be of contextual importance. The building is neither a designated San Francisco Landmark nor part of a local historic district. The listing of the building on the California Register, however, requires that the San Francisco Planning Department consider the property to be an historic resource.

The project sponsor believes, based on the new evaluation discussed above, that the 347-349 Fremont Street Edwin W. Tucker & Co. building through alteration and loss of integrity has lost its historic qualities or potential to yield information, and that new information and analysis shows the historical resource was not eligible at the time of its listing. The San Francisco Planning Department Preservation staff and the staff at the State Historic Preservation Office concurred with the project sponsor's evaluation and recommend removing the Tucker building from the California Register.

On August 7, 2003, the State Historic Preservation Commission denied the project sponsor's request, and the 347-349 Fremont Street Edwin W. Tucker & Co. building remains on the California Register

of Historical Resources, and is thereby considered by the City of San Francisco to be an historic resource.⁴³

IMPACTS

SIGNIFICANCE CRITERIA

Pursuant to *CEQA Guidelines* Section 15064.5, a project would have a significant effect if it would cause a substantial adverse change in the significance of an historical resource. The definition of an historical resource includes:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources, as determined by Public Resources Code Section 5024.1 and Title 14, Section 4850 et seq. of the California Code of Regulations; and
- A resource included in a local register of historical resources as defined in Section 5020.1(k) of the Public Resources Code, or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code.

A "substantial adverse change" is defined by CEQA Guidelines Section 15064.5 as "demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired."

IMPACT OF THE PROPOSED PROJECT

The project sponsor intends to demolish the 347-349 Fremont Street Edwin W. Tucker & Co. building, as well as the adjacent American Engraving Company building at 333 Fremont Street and replace them with an eight-story residential building.

The 347-349 Fremont Street Edwin W. Tucker & Co. building is considered an historical resource for CEQA purposes, and demolition of this building would be a significant adverse impact.

⁴³ *Public Resources Code*, Section 21081.1 states that "an historic resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historic Resources." Properties in this category are so-called "mandatory" historic resources.

CUMULATIVE IMPACTS

The demolition of the 347-349 Fremont Street Edwin W. Tucker & Co. building would leave a number of similar wood-frame industrial buildings in the South of Market and Rincon Hill areas. An informal survey of the surrounding blocks revealed a wood-frame industrial building that retains a superior degree of integrity, the Edwin Klockars Blacksmithing Shop on Harrison Street, between First and Fremont Streets. This building is a Landmark building and was listed as a cultural resource in the Rincon Hill Area Plan in 1984. California Historic Landmark No. 84. is Rincon Hill itself, and there is a plaque marking Rincon Hill at the northeast corner of Rincon and Bryant Streets, within the loop formed by the Fremont Street off-ramp. The proposed project would be part of the ongoing trend of mid- and high-rise residential buildings replacing low-rise office buildings on Rincon Hill, however, the demolition of the 347-349 Fremont Street Edwin W. Tucker & Co. building could contribute to the loss of other historical architectural resources on Rincon Hill and thus should be considered to have a potentially significant cumulative impact.

E. GROWTH INDUCEMENT

In general, a project would be considered growth inducing if its construction and use would encourage population increases and/or new development that might not occur if the project were not approved and implemented, particularly if the project would facilitate growth by removing a major obstacle to development in a particular area (such as provisions of a major new public services to an area where those services are not currently available). The proposed project would conform to the policies of the proposed *Rincon Hill Plan* that encourage the continued development of a high-density residential neighborhood in close proximity to the major employment center of downtown San Francisco. The proposed project entails construction of a new building providing 131,340 gross square feet of residential space, which would include 88 residential units, and 88 parking spaces. The proposed project would add new residential units in the Rincon Hill neighborhood and would increase the daily population on the project site by approximately 125 people. Approximately 123 of this increase would be new residents (based on 1.4 persons per household), and there would be two new building employees. The small amount of new employment on the project site would not be considered significant in the urban context of San Francisco. Because of the current strong demand for housing, especially for housing close to the Financial District, which would exist with or without the project, the project would not induce substantial growth or concentration of population beyond that which would have occurred without the project. Some project residents may relocate from other parts of the Bay Area to be closer to their employment in downtown San Francisco. To the extent that this occurs, the project would result in reduced commuting to work. The project would also contribute incrementally to meeting existing and future housing demand in San Francisco. For these reasons, the proposed project would not cause significant growth-inducing impacts.

IV. MITIGATION AND IMPROVEMENT MEASURES PROPOSED TO MINIMIZE THE POTENTIAL ADVERSE IMPACTS OF THE PROJECT

In the course of project planning and design, measures have been identified that would reduce or eliminate potentially significant environmental impacts of the project. Mitigation measures would reduce but not eliminate the impacts of the proposed project on historic architectural resources. Mitigation measures identified in this EIR and in the Initial Study would be required by the decision-makers as conditions of project approval unless they are demonstrated to be infeasible based on substantial evidence in the record.

Measures discussed below include: (1) measures that would avoid potentially significant impacts; and (2) measures proposed to improve project effects that would not be considered significant impacts.

Each Mitigation and Improvement Measure identified in this EIR and in the Initial Study follows. Measures from the Initial Study (see Appendix A) proposed as part of the project are indicated with an asterisk (*). Implementation of some measures may be the responsibility of the public agencies.

A. MITIGATION MEASURES

The following measures would reduce or eliminate potentially significant impacts.

*** 1. Construction Air Quality**

- The project sponsor shall require the construction contractor(s) to spray the project site with water during excavation, grading, and site preparation activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other such material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during these periods at least once per day to

reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require the construction contractor(s) to obtain reclaimed water from the Clean Water Program for this purpose.

- The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as prohibiting idling motors when equipment is not in use or when trucks are waiting in queues, and implementing specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

* **2. Hazards (Contaminated Soil)**

- *Step 1: Preparation of Site Mitigation Plan*

Soil and groundwater samples shall be characterized (analyzed) for metals, petroleum hydrocarbons and gasoline/diesel components, volatile and semi-volatile organic compounds, and other constituents, as requested by the Department of Public Health (DPH). In addition, groundwater characterization shall be carried out for total suspended solids, total settleable solids, pH, total dissolved solids, and turbidity. Samples shall be analyzed by state-accredited laboratories. Based on the results of soil and groundwater characterization, A site Mitigation Plan shall be prepared by a qualified individual, in coordination with DPH and any other applicable regulatory agencies. The sampling and studies shall be completed by a Registered Environmental Assessor or a similarly qualified individual. Excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with DPH.

- *Step 2: Site Health and Safety Plan*

Prior to conducting any remediation activities a Site Health and Safety Plan would be prepared pursuant to California Division of Occupational Safety and Health (Cal-OSHA) requirements and National Institute for Occupational Safety and Health guidance to ensure worker safety. Under Cal-OSHA requirements, the Site Health and Safety Plan would need to be prepared prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

1. Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
2. The dust controls specified in Air Quality Mitigation Measure 1.
3. Protocols for managing stockpiled and excavated soils.

The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:

1. Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required.
2. Posting of "no trespassing" signs.
3. Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures could include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

- *Step 3: Handling, Hauling, and Disposal of Contaminated Soils*

(a) specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If there are excavated materials containing over one percent friable asbestos, they would be treated as hazardous waste, and would be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.

(c) surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to

contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

- *Step 4: Preparation of Closure/Certification Report*

After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

* **3. Hazards (PCBs)**

- The project sponsor would ensure that building surveys for PCB-containing equipment (including elevator equipment), hydraulic oils, and fluorescent lights are performed prior to the start of demolition. Any hazardous materials so discovered would be abated according to federal, state, and local laws and regulations.

* **4. Archeological Resources**

- Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project archeological research design and treatment plan (Archeo-Tec, *Archaeological Research Design/Treatment Plan for the 333 Fremont Street Project*, June 2003) at the direction of the Environmental Review Officer (ERO). In instances of any inconsistency between the requirements of the project archeological research design and treatment plan and of this archeological mitigation measure, the requirement of the latter shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO.

Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Section 15064.5 (a)(c).

- *Archeological Testing Program.* The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
 - A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.
- *Archeological Monitoring Program.* If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:
 - The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological

monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

- *Archeological Data Recovery Program.* The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
 - *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
 - *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
 - *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
 - *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
 - *Final Report.* Description of proposed report format and distribution of results.
 - *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.
- *Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), which shall appoint a Most Likely Descendant (MLD) (Public Resource Code Section 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines, Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.
 - *Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal

site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

The following mitigation measures would reduce but not eliminate a significant impact.

5. Historical Architectural Cultural Resources

The project sponsor shall provide historic documentation of the 347-349 Fremont Street Edwin W. Tucker & Co. building's exterior and interior, meeting the Historic American Buildings Survey (HABS) recordation standards. Such documentation shall include the following:

- A HABS outline report including descriptive and historical information.
- Photographic documentation of the exterior of the 347-349 Fremont Street building. Such documentation shall meet the HABS standard of detail and quality for photography documentation in 4x5 or 5x7 photographs and negatives.
- Photographic documentation of the interior of the 347-349 Fremont Street building. Such documentation shall meet the HABS standard of detail and quality for photography documentation in 4x5 or 5x7 photographs and negatives. It shall include the interior spaces and features identified in the historic resources study and shall be keyed to a description in the outline report of the location, condition, and significance of each space or feature.
- An appropriate conserved set of the existing architectural drawings of 347-349 Fremont Street.
- A display of photographs and interpretive materials concerning the history and architectural features of the 347-349 Fremont Street building shall be installed inside the proposed project and accessible to the public.

Copies of the narrative, photographic documentation and any available architectural drawings of the building shall be submitted to the San Francisco Planning Department prior to authorization of any permit that may be required by the City for alternation at the 347-349 Fremont Street building.

In addition, the project sponsor shall prepare and transmit the photographs and descriptions of 347-349 Fremont Street to the History Room of the San Francisco Public Library, and to the Northwest information Center of the California Historical Information Resources System.

The above measure would reduce the adverse effect of the project on the historical resource at 347-349 Fremont Street, but would not reduce the impact to a less-than-significant level. Therefore, a significant unavoidable impact on historical resources would remain.

B. IMPROVEMENT MEASURES

Improvement measures diminish effects of the project that were found through the environmental analysis to be less-than-significant impacts. The improvement measures identified in this EIR may be required by decision-makers as conditions of approval. The project sponsor would be responsible for implementation of the measures in coordination with the appropriate City Departments.

1. Construction

Construction activities would be temporary and of short-term duration. Therefore, they would not be considered significant environmental impacts. In order to reduce potential non-significant construction impacts, the project sponsor could implement the following improvement measures:

- Any construction traffic occurring between 7:00 and 9:00 a.m. or between 3:30 and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by DPT) would minimize disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods.
- The project sponsor and construction contractor(s) would meet with the Traffic Engineering Division of the Department of Parking and Traffic (DPT), the Fire Department, Muni, the Planning Department and other City agencies to determine feasible measures to reduce traffic congestion, including any potential transit disruption and pedestrian circulation impacts during construction of the project. The temporary parking demand by construction workers would need to be met on-street or within other off-street parking facilities.

V. SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

In accordance with Section 21100(b)(2)(A) of the California Environmental Quality Act (CEQA), and with Section 15126.2 of the State CEQA Guidelines, the purpose of this chapter is to identify environmental impacts that could not be eliminated or reduced to an insignificant level by mitigation measures included as part of the proposed project, or by other mitigation measures that could be implemented, as described in Chapter IV, Mitigation and Improvement Measures, pages 105 through 113. This chapter is subject to final determination by the City Planning Commission as part of its certification of the EIR. The Final EIR will be revised, if necessary, to reflect the findings of the Commission.

The proposed project, with mitigation, would have the following unavoidable significant impacts in the area of historic architectural cultural resources:

The project sponsor intends to demolish the 347-349 Fremont Street Edwin W. Tucker & Co. building, as well as the adjacent American Engraving Company building at 333 Fremont Street and replace them with an eight-story residential building. The 347-349 Fremont Street Edwin W. Tucker & Co. building is considered an historical resource for CEQA purposes, and demolition of this building would be a significant adverse impact. In addition, the project would have a significant cumulative impact on historical architectural resources in Rincon Hill.

Should the Planning Commission approve the project as proposed, it would be required to make a finding that the project would have significant project specific and cumulative environmental impacts and would adopt a Statement of Overriding Considerations.

With implementation of the mitigation measures outlined in Chapter IV, Mitigation Measures, of this report, all other potential significant impacts would be reduced to a less-than-significant level. The project sponsor has agreed to implement all measures in Chapter IV in an agreement dated May 1, 2004.⁴⁴

⁴⁴ This mitigation agreement is available for public review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco, in Case File No. 2002.1263E.

VI. ALTERNATIVES TO THE PROPOSED PROJECT

This chapter identifies alternatives to the proposed project and discusses environmental impacts associated with each alternative. Project decision-makers could adopt any of the following alternatives instead of the proposed project, if an alternative would reduce or eliminate significant environmental impacts of the project and is determined to be feasible and would attain most of the basic objectives of the project. This determination of feasibility will be made by project decision-makers on the basis of substantial evidence in the record which shall include, but not be limited to, information presented in this EIR and comments received on the Draft EIR.

Alternatives were selected that would reduce identified impacts of the proposed project. The following alternatives are evaluated: a No Project Alternative and a Preservation Alternative. The Preservation Alternative would retain and adaptively reuse the historic Edwin W. Tucker & Co. building (347-349 Fremont Street) by incorporating it into a larger residential development. Other alternatives, with a variety of configurations, could also be considered by decision-makers, provided the proposed uses are similar to those analyzed in the proposed project or the alternatives. Other uses for the project site are not considered, as the project sponsor only intends to build an 88-unit residential building, and other uses would not meet the basic objectives of the project.

Whether property is owned or can reasonably be acquired by the project sponsor has a strong bearing on the feasibility of developing a project alternative at a different site. No viable alternative sites have been identified within San Francisco where the proposed project could be constructed and meet the project sponsor's objectives, and where the project's environmental impacts would be substantially lessened or avoided. A similar-sized project within the Rincon Hill or nearby areas would have similar cumulative effects.

A. ALTERNATIVE A: NO PROJECT

Description

This alternative would entail no change to the two existing two-story office buildings, totaling approximately 30,417 square feet, on the site. The proposed project would not be built, and the buildings would continue to be non-Building Code-conforming structures. This alternative, however, would not preclude future proposals for redevelopment of the project site.

Impacts

If the No Project Alternative were implemented, none of the impacts associated with the project would occur. The existing Edwin W. Tucker & Co. building (347-349 Fremont Street), an historic and architectural resource of significance that is on the California Register of Historic Places, would remain unaltered. (The existing buildings would continue to operate under the previous use as approximately 30,400 square feet of office space.) The air quality impacts of the proposed project, and project-specific effects on intersection conditions, transit use, parking, loading, or pedestrian and bicycle traffic, also would not occur, although these impacts would not be significant under the proposed project. Intersection operations and transit operating conditions that would degrade to unacceptable levels of service by the 2020 cumulative horizon year would do so with or without the project. Under this alternative, there would be no incremental contribution from the project site to these degraded conditions, beyond traffic and transit ridership that would be generated if the existing office buildings on the site were occupied again in the future.

Other less-than-significant effects of the proposed project described in the Initial Study, including effects of the proposed eight-story project on visual quality and urban design, effects on views, wind effects, shadow effects on nearby streets and buildings, population, generation of noise during construction, potential discovery of subsurface cultural resources during excavation, and potentially hazardous materials, among other impacts, would not occur with this alternative.

The No Project Alternative would not meet City-Core Fremont Street Investors, LLC's objectives of providing 88 dwelling units in the Rincon Hill area.

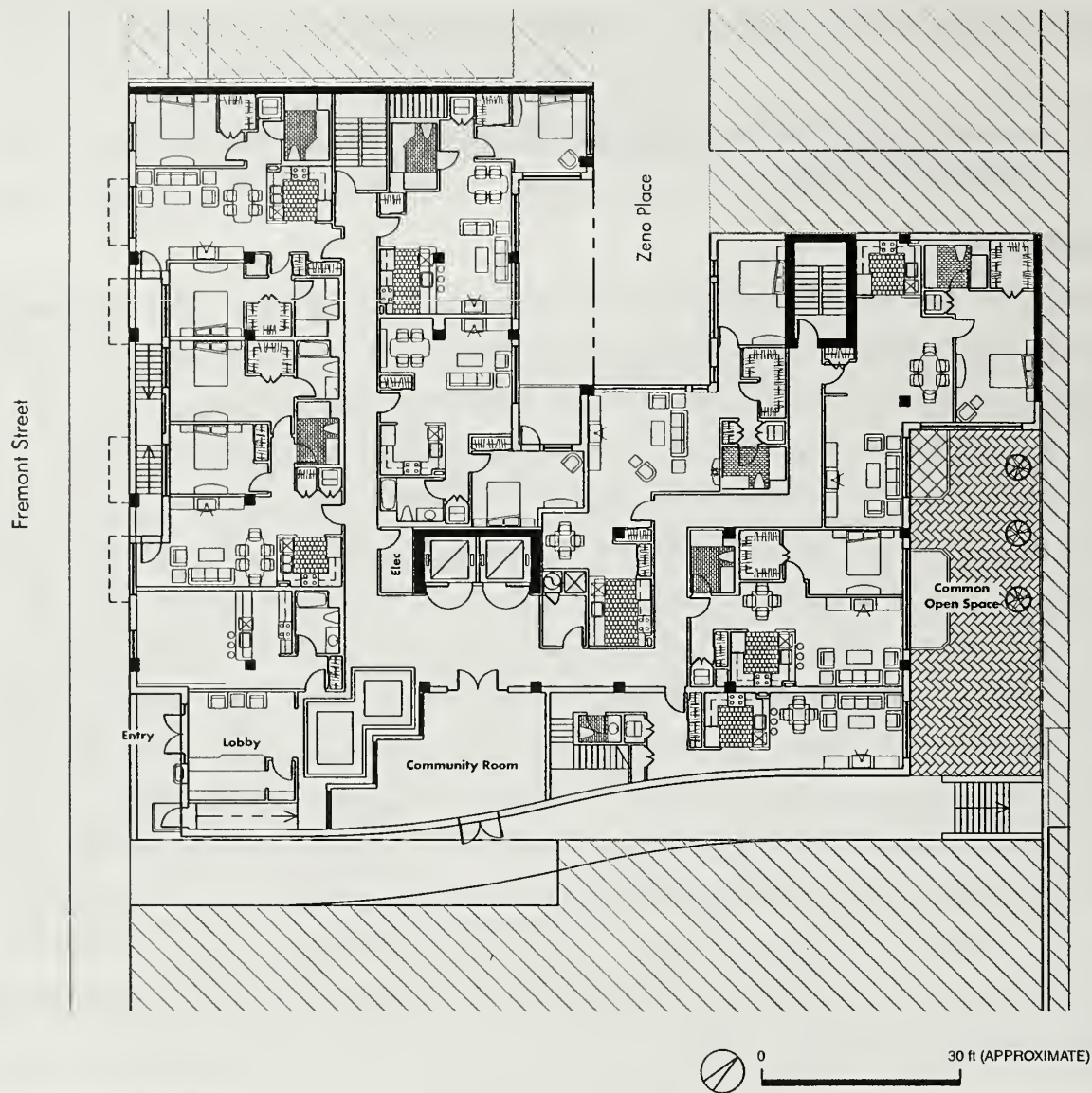
If this alternative is selected by the San Francisco Planning Commission and a different proposal is submitted at a later date for development for all or part of the project site, that proposal would be subject to a separate project-specific environmental review pursuant to the requirements of CEQA.

B. ALTERNATIVE B: PARTIAL PRESERVATION ALTERNATIVE

Description

Alternative B, the Partial Preservation Alternative, would preserve the Edwin W. Tucker & Co. building on the project site (at 347-349 Fremont Street), an historic architectural resource, by retaining and adaptively reusing the building as a part of a larger residential development. Figure 11 shows the ground floor plan (page 120), a parking level plan is shown in Figure 12 (page 121), the eighth floor floor plan is shown in Figure 13 (page 122) and the Fremont Street elevation is shown in Figure 14 (page 123). Under this alternative, the other building on the site (333 Fremont Street) would be demolished, and an 85-foot, eight-story residential building would be constructed adjacent to the Tucker building, which would be incorporated into the new residential building's lobby. The Tucker building would be restored to its original condition including the character-defining features on the Fremont Street facade : the parapet moldings and plaque in the center of the parapet, the flagpole, the original main door and its trim, and the pair of hinged doors at the vehicular entrance. The infill of the vehicular entryway would be removed, and the interior would contain the original long open machine shop space with two mezzanines. The building would be seismically upgraded in accordance with the State Historic Building Code, and the damage due to water infiltration and associated decay of wood elements, including dry rot, in the exterior sheathing, roof decking and interior sills and joists would be repaired.

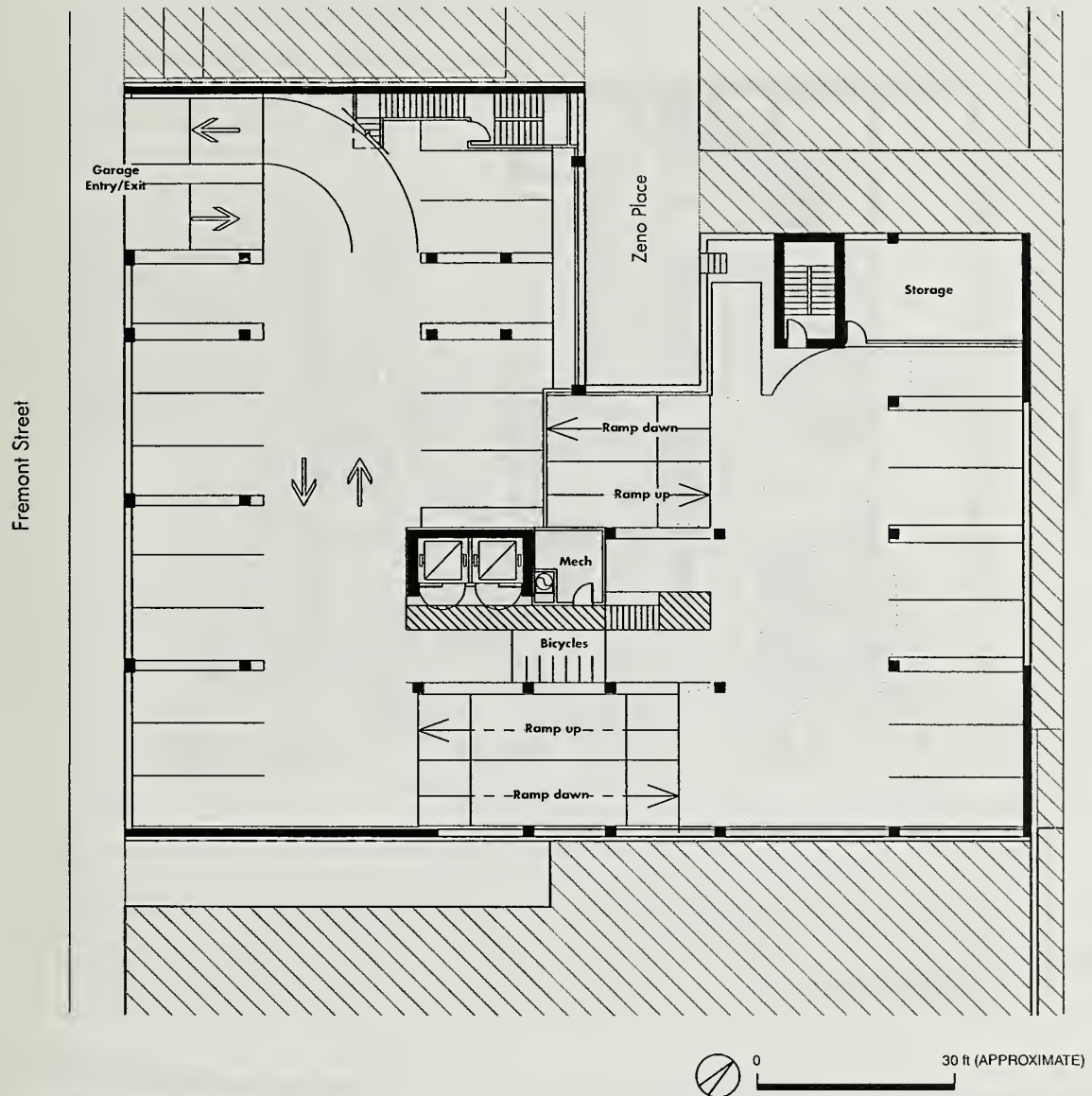
This alternative would contain approximately 74,500 square feet (compared to the proposed project's 131,000 square feet). There would be approximately 59 residential dwelling units, and a total of about 59 parking spaces on two levels accessible from Fremont Street.



Source: Heller Manus Architects

9-15-04

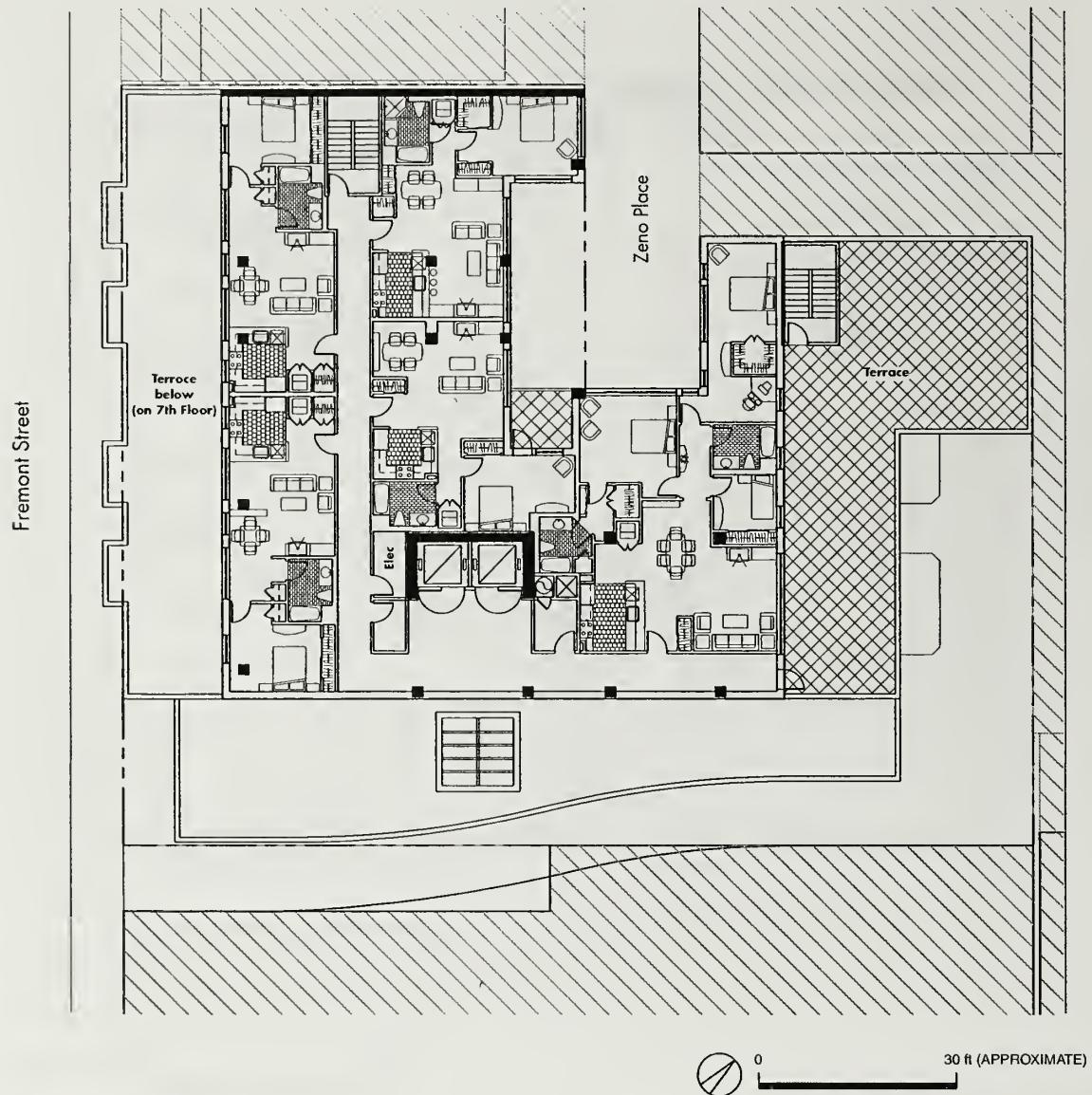
Partial Preservation Alternative — Ground Floor Plan Figure 11



Source: Heller Manus Architects

9-15-04

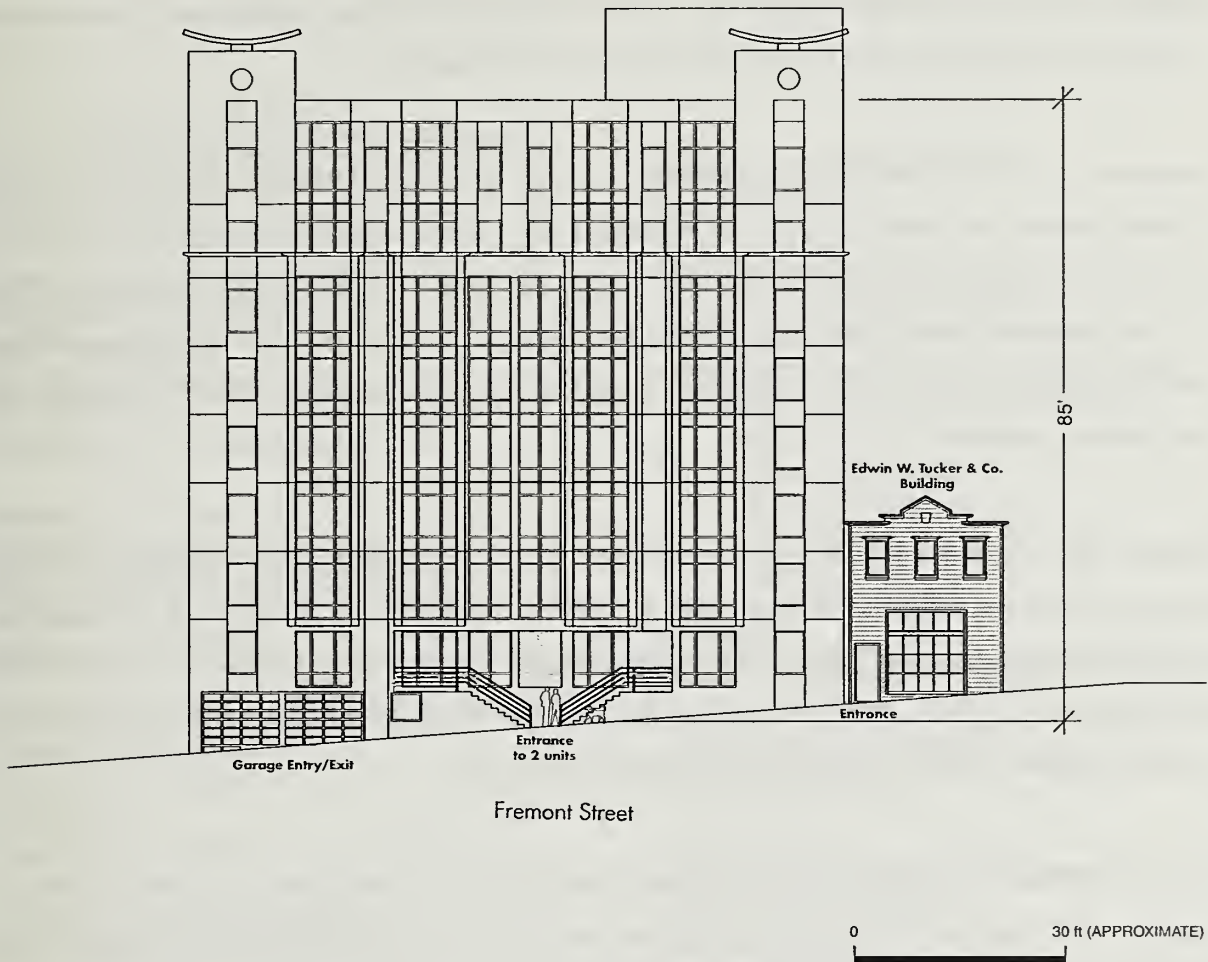
Partial Preservation Alternative — Parking Plan (Level 1) Figure 12



Source: Heller Manus Architects

9-15-04

Partial Preservation Alternative — Eighth Floor Plan Figure 13



Source: Heller Manus Architects
9-17-04

Partial Preservation Alternative — Fremont Street (West) Elevation Figure 14

Impacts

Compared with the proposed project, Alternative B: Preservation Alternative would not result in the loss of the historic Edwin W. Tucker & Co. building on the site. The Tucker building would be adaptively reused by incorporating it into a larger residential building on the site. This alternative would preserve the Tucker building's historic architectural features.

Compared to the proposed project, Alternative B would have fewer intensive environmental effects on transportation and parking because of its smaller size. This alternative would generate about 435 daily person-trips and 26 vehicle trips in the weekday p.m. peak hour compared to proposed project's 793 new daily person-trips and 49 weekday p.m. peak hour vehicle trips. The operating conditions would be better and the levels of congestion at the key intersections studied would be less than with the proposed project.

Because this alternative would retain the historic Edwin W. Tucker & Co. building at 347-349 Fremont Street, the mid-rise building would be only on the 333 Fremont Street site. Although the building would be the same height as the proposed project (85 feet high), it would have less mass and fewer impacts on visual quality and urban design. The views of the Rincon Hill skyline would feature a slimmer building than the proposed project structure.

The Preservation Alternative also would have fewer effects on population, construction noise, air quality, wind, shadows, utilities and public services, and energy/natural resources, although these impacts would be less than significant for both this alternative and the proposed project.

This alternative would have similar effects in those environmental areas not affected by height or bulk: land use, operation noise, biology, geology/topography, water, hazards, and archeological cultural resources. Alternative B: Preservation Alternative would be the environmentally superior alternative.

Alternative B would not satisfy City-Core Fremont Street Investors, LLC's objectives of providing 88 dwelling units in the Rincon Hill area.

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NOTE: In addition to those identified above, there are approximately 300 property owners/occupants in the vicinity of the project who have received notice. The complete list is available for review by appointment at the San Francisco Planning Department, 1660 Mission Street, Fifth Floor, San Francisco, California 94103.

VIII. EIR AUTHORS, PERSONS CONSULTED AND PROJECT SPONSOR

EIR AUTHORS

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EIR Coordinator: Tammy Chan
EIR Reviewer: Rick Cooper
Transportation Planner: Bill Wycko, AICP
Archeologist/Environmental Planner: Randall Dean

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Department of Parking and Traffic, Traffic Engineering Division
Jack Fleck
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IX. APPENDICES

Appendix A: Initial Study

Appendix B: Transportation Definitions

Appendix A

Initial Study



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

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NOTICE OF PREPARATION

Date of this Notice: October 4, 2003

Lead Agency: San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, California 94103-2414

Agency Contact Person: Benjamin Helber

Telephone: (415) 558-5968

Project Title: 2002.1263- 333 Fremont Street
Project Sponsor: City-Core Fremont Street Investors, LLC.
Project Contact Person: Richard H. Kaufman

Telephone: (415) 820-5200

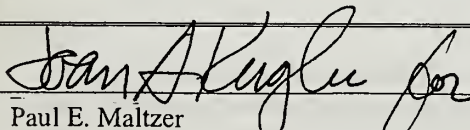
Project Address: 329-349 Fremont Street Assessor's Block and Lot: Block 3747, Lot 19 City and County: San Francisco

Project Description: The proposed project is a residential development of approximately 135,990 gross square feet (gsf) consisting of 88 dwelling units and about 88 underground parking spaces. The two existing two-story buildings on the site which contain a total of approximately 30,415 square feet would be demolished, including the 347-349 Fremont Street Edwin W. Tucker building, which is listed on the California Register of Historical Resources. The site would be excavated for the foundation, the three-level below-grade parking garage, and the 85-foot-high residential tower. The project site is located about mid-block on the eastern side of Fremont Street in the block bounded by Folsom, Fremont, Harrison and Beale Streets. Vehicular access to the parking garage would be from Fremont Street on the northern portion of the street frontage. The pedestrian lobby entrance would be on the southern portion of the Fremont Street frontage. The site is within the existing Rincon Hill Special Use District/Residential Sub-District, the RC-4 (Residential/Commercial High-Density) Zoning District, and the 200-R Height and Bulk District. The site is also within the proposed Rincon Hill Mixed Use District, and the proposed 350-R District.

THIS PROJECT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED. This determination is based upon the criteria of the State CEQA Guidelines, Section 15063 (Initial Study), 15064 (Determining Significant Effect), and 15065 (Mandatory Findings of Significance), and the following reasons, as documented in the Environmental Evaluation (Initial Study) for the project, which is attached.

Written comments on the scope of the EIR will be accepted until the close of business on November 4, 2003. Written comments should be sent to: Paul E. Maltzer, Environmental Review Officer, San Francisco Planning Department, 1660 Mission Street, Ste. 500, San Francisco, CA 94103. Please include the name of a contact person in your agency. Thank you.

State Agencies: We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project.


Paul E. Maltzer
Environmental Review Officer

INITIAL STUDY
2002.1263E- 333 Fremont Street

I. PROJECT DESCRIPTION AND SETTING

A. PROJECT DESCRIPTION

The proposed project is the construction of an approximately 135,990 square-foot building consisting of about 88 dwelling units and 88 below-grade parking spaces. The irregular-shaped project site is on the west side of the City block bounded by Folsom, Fremont, Harrison, and Beale Streets in the Rincon Hill area of San Francisco (Figure 1, page 3).¹ The site wraps around the end of Zeno Place, a cul-de-sac off Folsom Street. The project site is located at 329-349 Fremont Street, on Assessor's Block 3747, Lot 19, which totals 13,853 square feet or approximately 0.32 acre.

Two two-story office buildings, which were joined in 1968, currently occupy the site. The buildings are presently vacant but recently contained office use. The larger, concrete, 333 Fremont building, constructed in approximately 1930, contains a basement level which is accessible from a driveway on Zeno Place. The smaller, 347-349 Fremont Edwin W. Tucker Co. Building, is a wood frame structure that is reported to have been constructed in 1913 and is a rated historic structure on the California Register of Historical Resources. The buildings total approximately 30,417 square feet, and contain a total of three parking spaces accessible from Zeno Place.

The proposed project involves the demolition of the existing buildings and the construction of an eight-story, approximately 135,990 square-foot residential condominium building with below-grade parking (Figures 2, 3, 4, 5, 6, 7, 8, and 9, pages 4 to 11). There would be a three- and one-half-level underground parking garage for about 88 parking spaces. The project would contain about 1 studio, 65 one-bedroom units, and 22-two bedroom units for a total of 88 units.

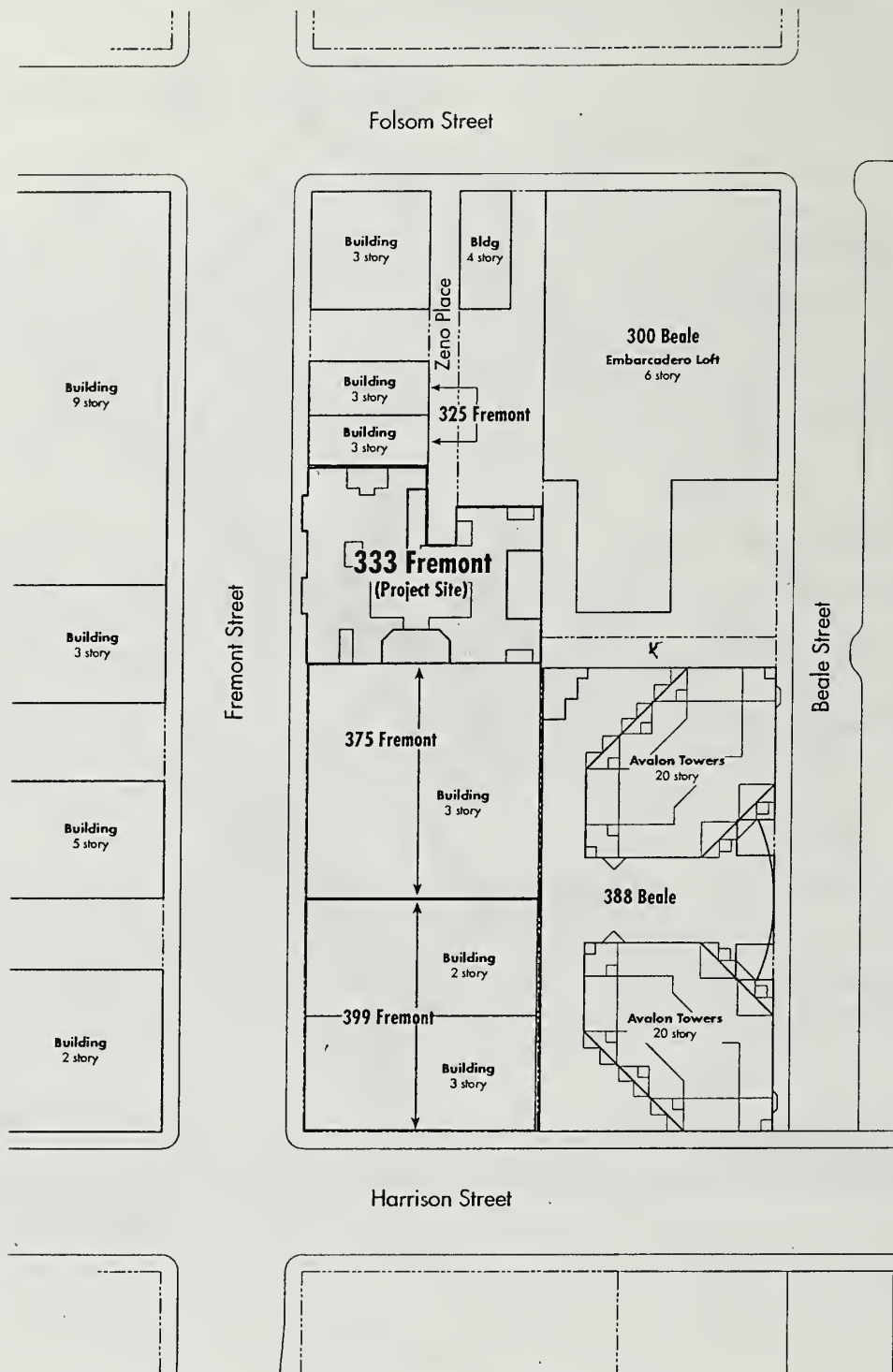
The building would be built to the property lines. The eight-story residential structure would be 85 feet tall and would feature three courtyards on the ground floor which would be open the entire height of the building. The pedestrian entrance to the building and lobby would be on Fremont Street on the southern portion of the street frontage. The ground floor would contain 11 residential units, a lobby with two elevators, three courtyards and two terraces. There would a common open-space deck on the roof containing about 5,560 square feet. The balconies would contain a total of 1,730 square feet for a

¹ To simplify the discussion of the direction of City streets south of and including Market Street, the convention of calling northwest-to-southeast streets "north-south" and northeast-to-southwest streets "east-west" is used in this document.



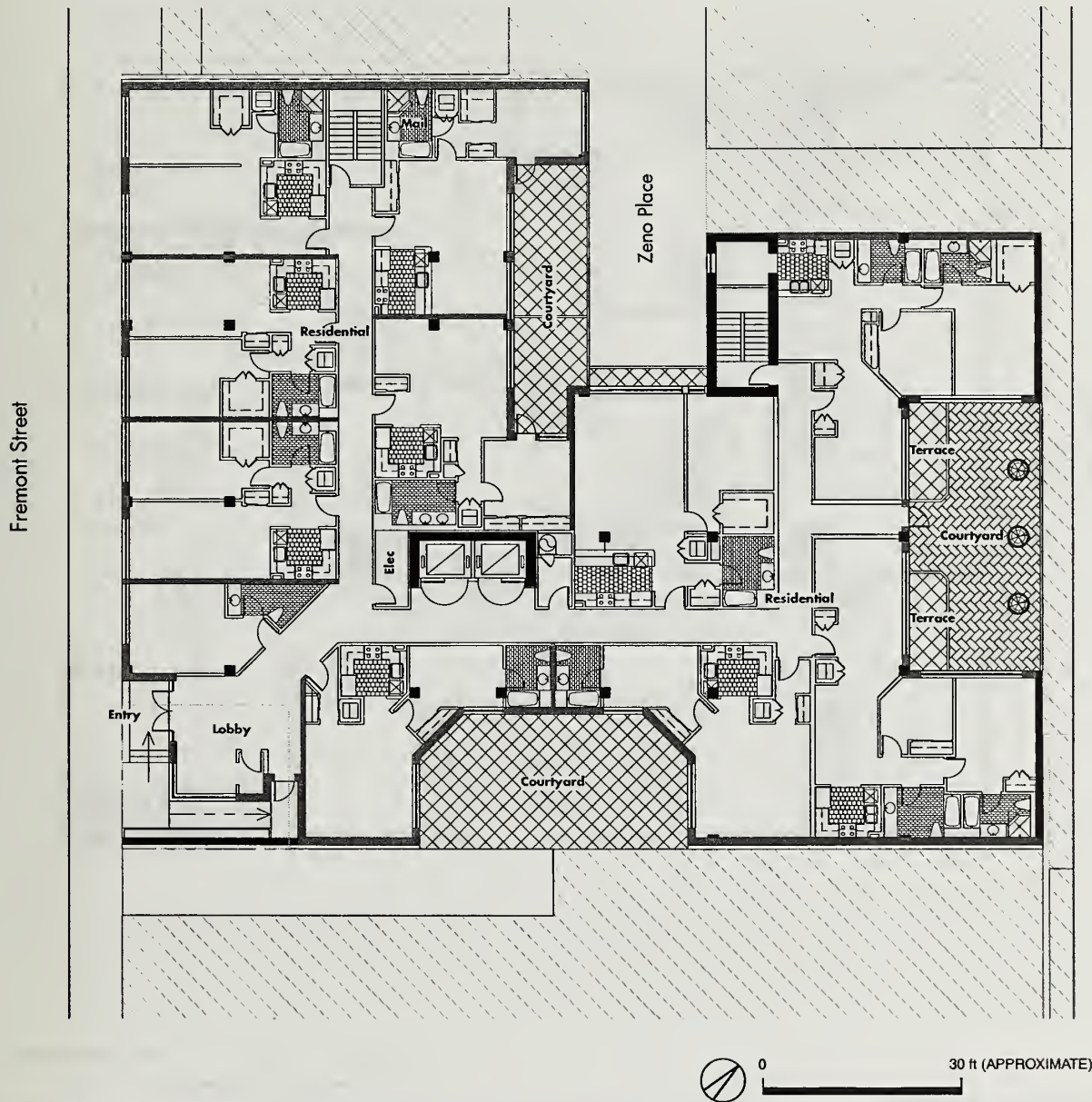
Source: During Associates

Proposed Project Location Figure 1



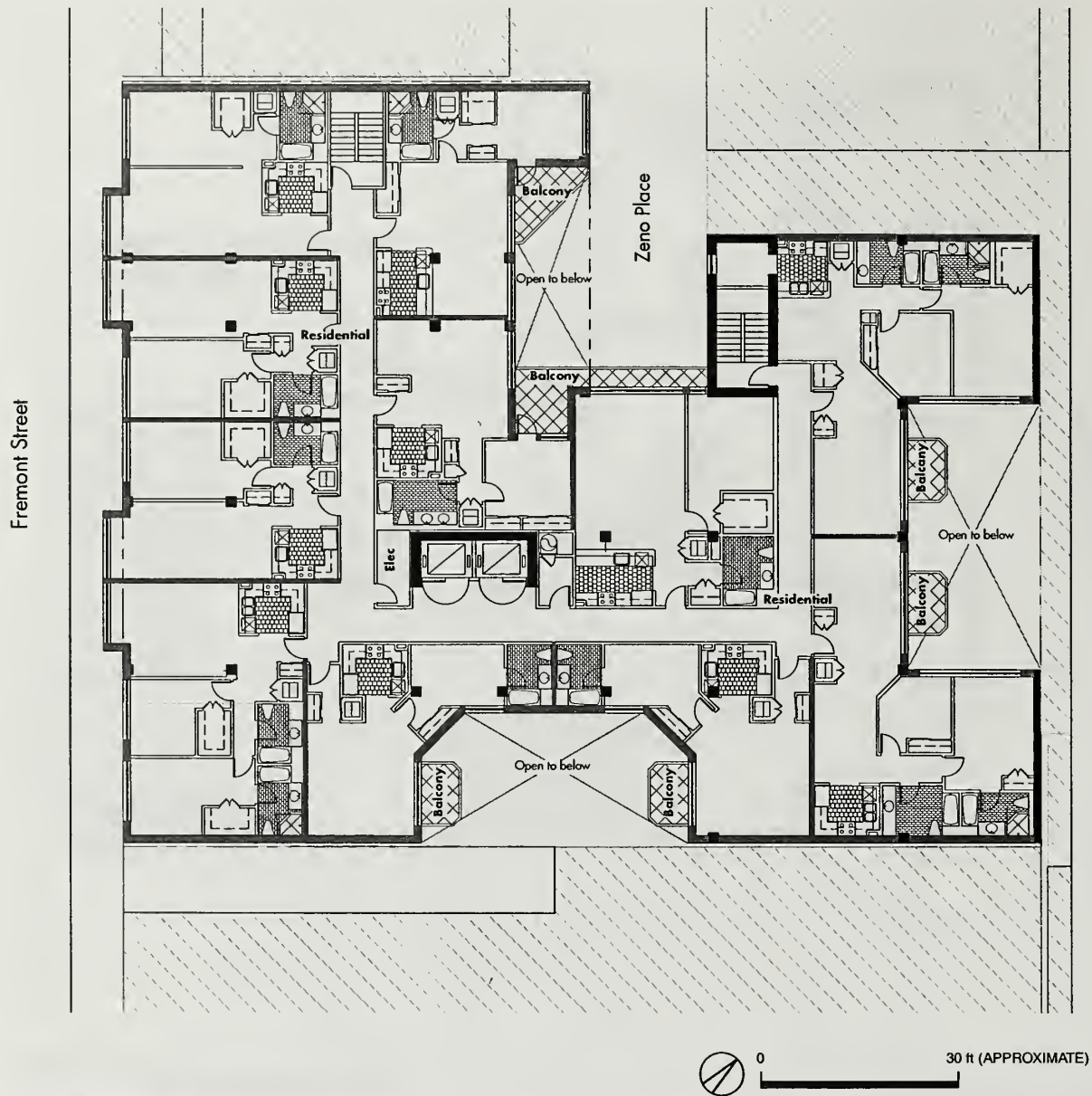
Source: During Associates, Heller Manus Architects

Proposed Site Plan Figure 2

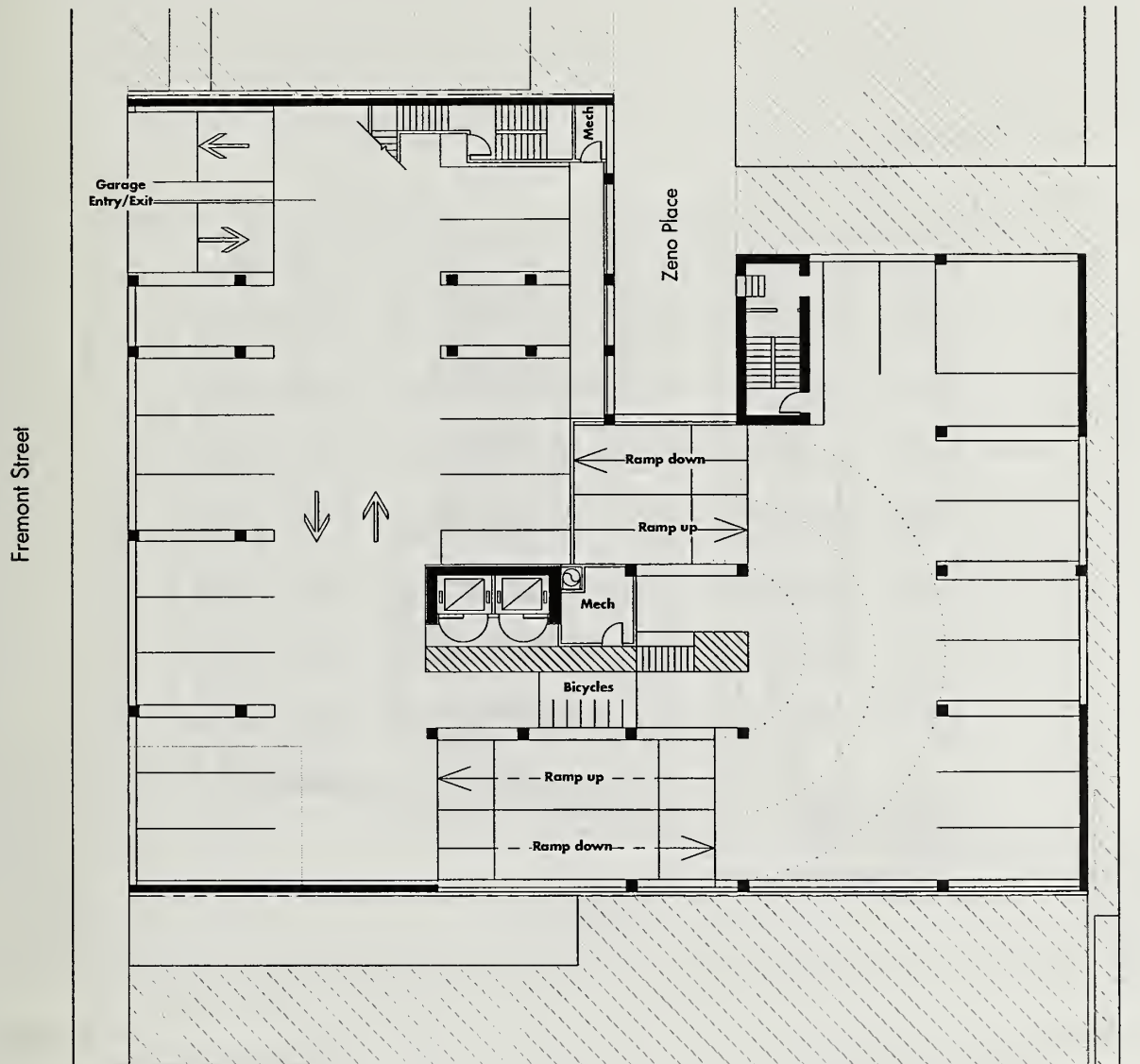


Source: Heller Manus Architects

Proposed Ground Floor Plan Figure 3

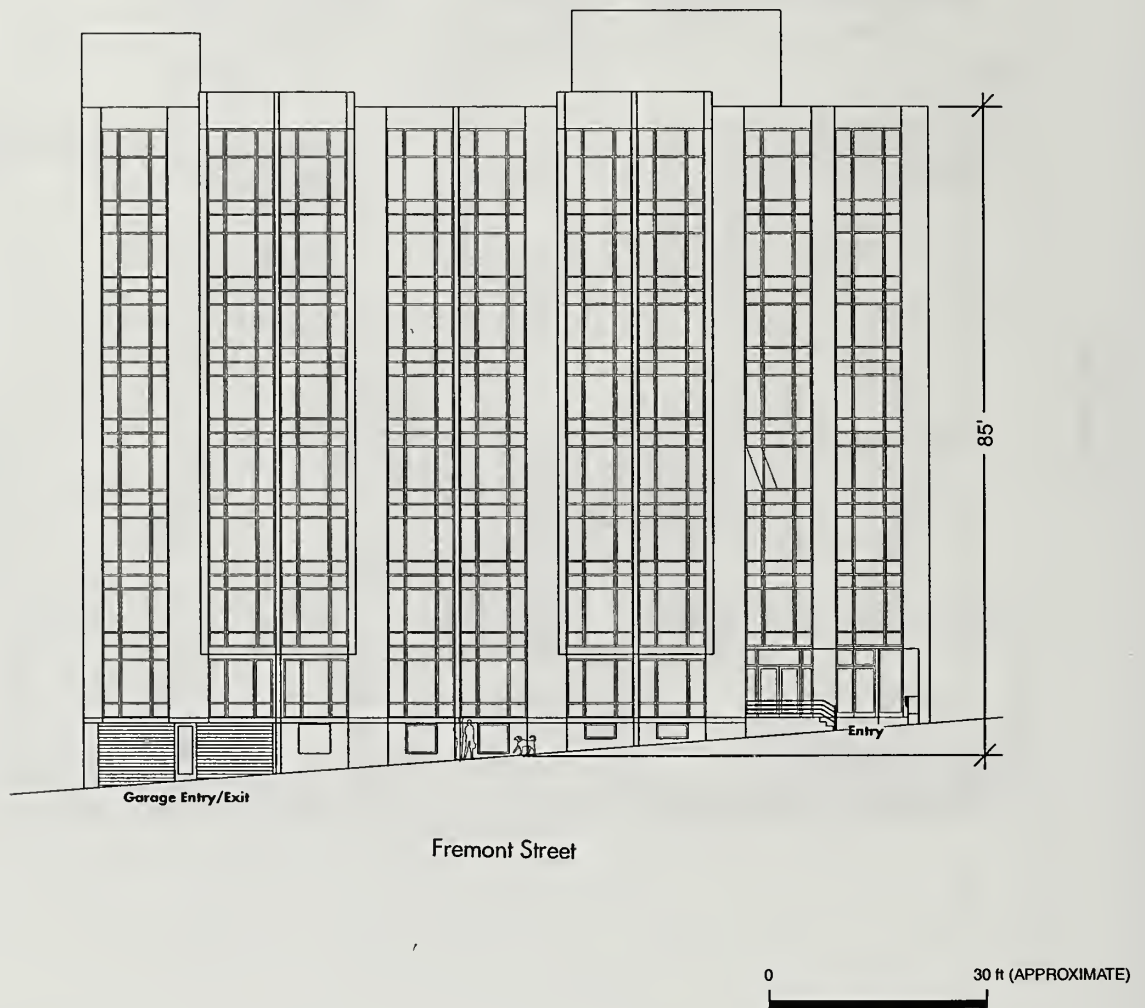


Proposed Residential Floor Plan (Levels 2-8 Typical) Figure 4



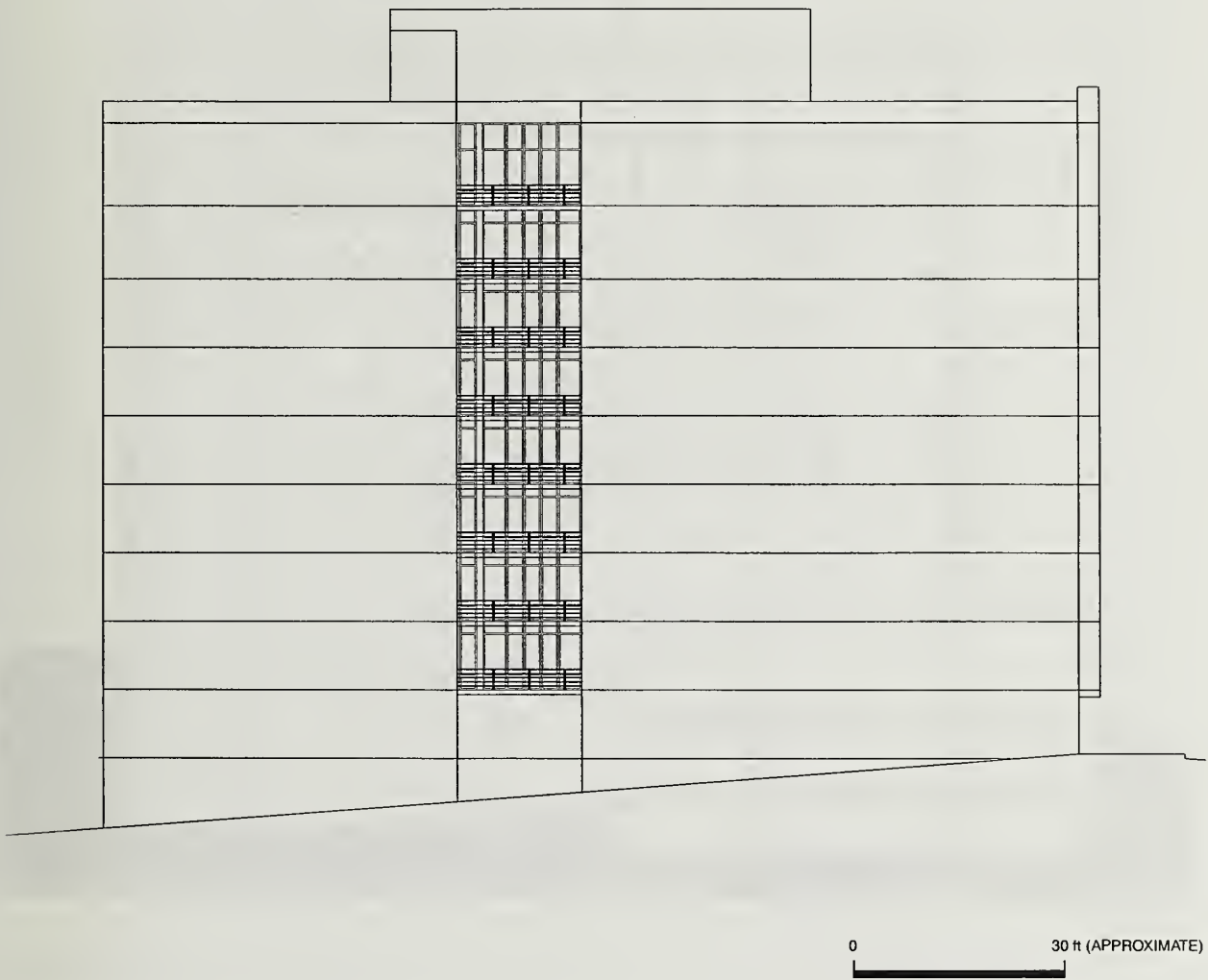
Source: Heller Manus Architects

Proposed Parking Plan Figure 5



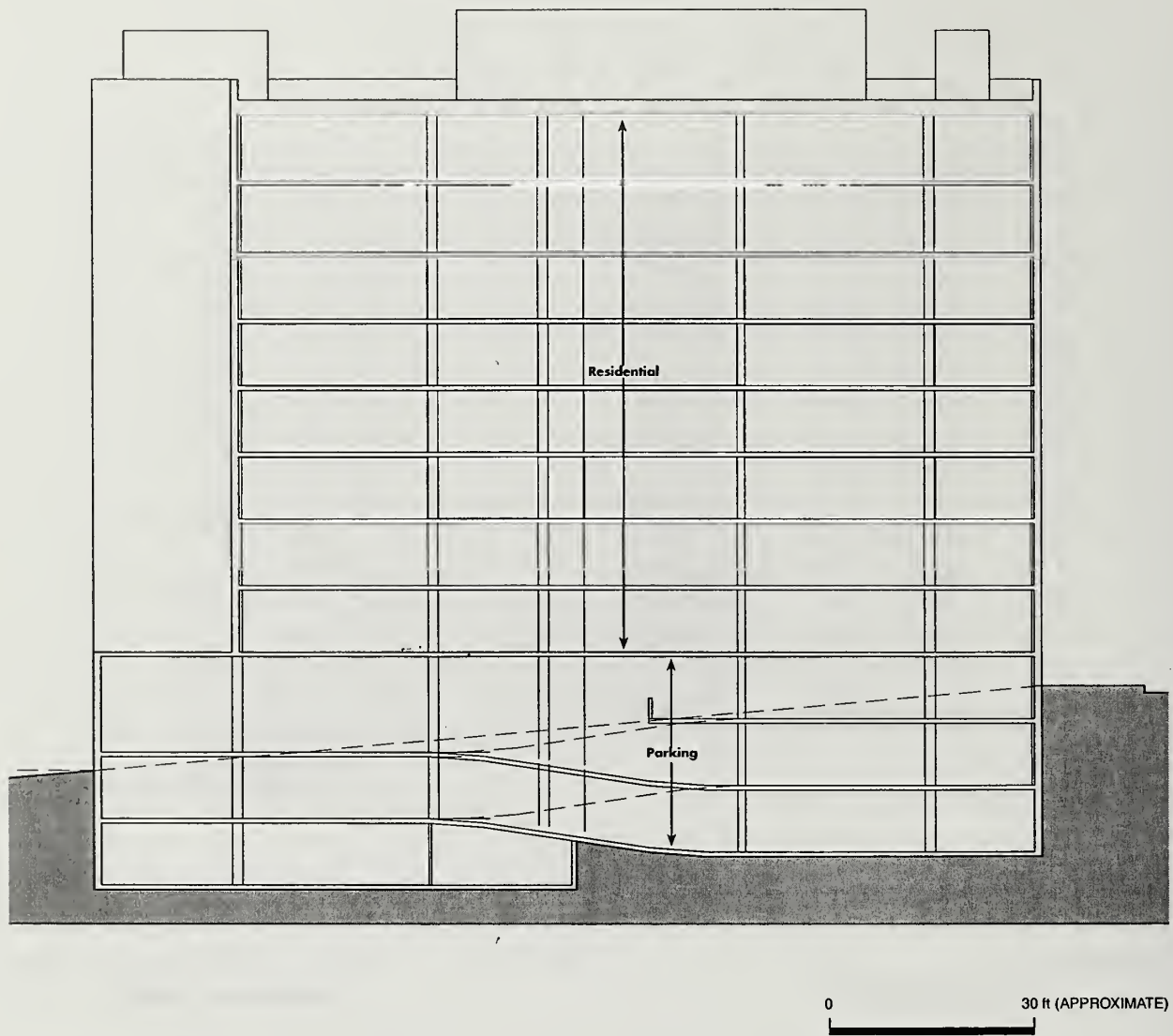
Source: Heller Manus Architects

Proposed Fremont Street (West Elevation) Figure 6



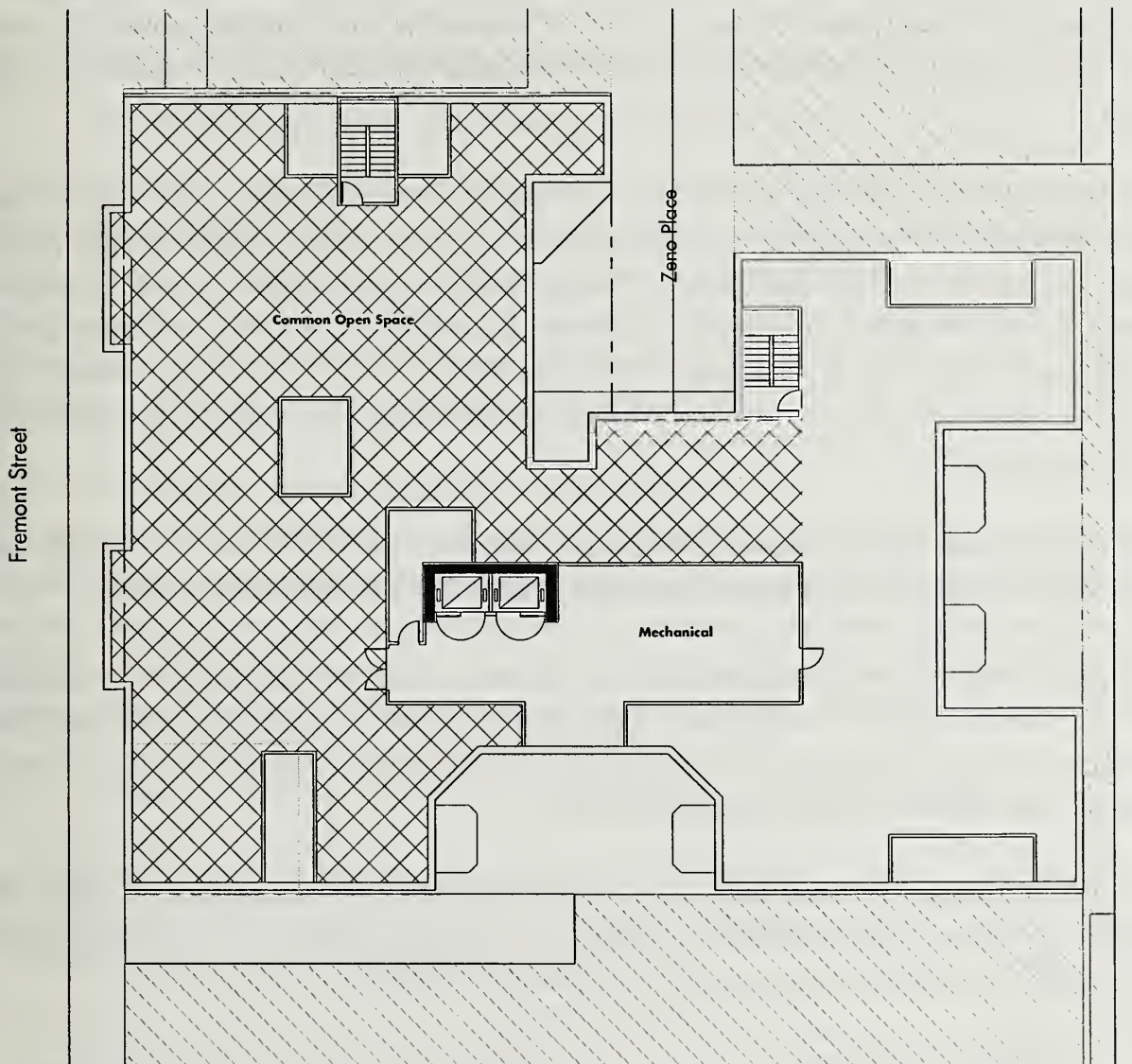
Source: MBH Architects

Proposed North Elevation (Looking South) Figure 7



Source: Heller Manus Architects

Proposed Project Section Figure 8



Source: Heller Manus Architects

Proposed Roof Plan Figure 9

combined total of common and private open space of 7,290 square feet which would meet the City *Planning Code* requirements. There would be bay windows for four units facing Fremont Street (each unit would have a bay window 10.5 feet by 3 feet). The size of the units would range from 677 square feet to 967 square feet for one-bedroom units, and from 1,026 to 1,145 square feet for two-bedroom units.

The frontage on Fremont Street is 114½ feet. Vehicular access to the parking garage would be from Fremont Street on the northern portion of the street frontage. The 88-space garage would also contain 18 bicycle spaces. Loading would occur on Fremont Street, and trash collection would be on Zeno Place. There would also be an emergency pedestrian access on Zeno Place. Development of the site would require excavation of approximately 12,860 cubic yards of soil for footings and foundation. The building's foundation would be concrete matting, and major materials would include a glass curtain wall on Fremont Street.

The site is within the existing Rincon Hill Special Use District/Residential Sub-District. The project site is in a RC-4 (Residential/Commercial High-Density), and a 200-R Height and Bulk District.

The project would require conditional use authorization for exceeding forty feet in height in a residential district. The conditional use would require approval by the Planning Commission. Additionally, the project may require several variances from set-back and dwelling unit exposure requirements. Variances would require approval by the Zoning Administrator.

Project construction would take about 18 months and would be completed in Spring of 2005. The project construction cost is estimated at \$10 million. The project sponsor is City-Core Fremont Street Investors, LLC, and the project architect is Heller Manus Architects.

B. PROJECT SETTING

The project site is on the north slope of Rincon Hill and slopes up toward Harrison Street and down toward Beale Street. San Francisco Bay and the Embarcadero are approximately three and a half blocks (about 600 feet) east of the project site, and the San Francisco-Oakland Bay Bridge is one block south with a freeway off-ramp on Fremont Street. The site is in the southeastern portion of Downtown San Francisco with the San Francisco Transbay Terminal to the north and Hills Plaza and The Embarcadero to the east. The South of Market neighborhood is to the west and south. The Rincon Point-South Beach Redevelopment Area is three blocks northeast of the site and one block southwest of the site. The proposed Transbay Redevelopment Project Area is directly north of Folsom Street.

In addition to the project site, the project block is occupied by several residential, office, and institutional uses which are mixed, with a variety of building types and sizes, ranging from one to 20 stories,

including residential, office, wholesale and retail, warehouse, light industrial, auto service, parking, and institutional/social service.

II. SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS

A. EFFECTS FOUND TO BE POTENTIALLY SIGNIFICANT

The proposed 333 Fremont Street residential development project is examined in this Initial Study to identify potential effects on the environment. On the basis of this study, project-specific effects and cumulative impacts that relate to land use, population, transportation and historic architectural resources have been determined to be potentially significant, and will be analyzed in an Environmental Impact Report (EIR). Topics noted "To Be Determined" mean that analysis in the EIR will enable a determination of whether or not there would be a significant impact.

B. EFFECTS FOUND NOT TO BE SIGNIFICANT

The following potential environmental effects were determined either to be less than significant or to be reduced to a less-than-significant level through mitigation measures included in the Initial Study and project. These items are discussed in Section III below, and require no environmental analysis in the EIR: visual quality and urban design, housing, noise, air quality/climate, utilities/public services, biology, geology/topography, water, energy/natural resources, hazards, and historic cultural resources.

III. ENVIRONMENTAL EVALUATION CHECKLIST AND DISCUSSION

A. COMPATIBILITY WITH ZONING, PLANS AND POLICIES

N/A

Discussed

1. Discuss any variances, special authorizations, changes proposed to the City Planning Code or Zoning Map, if applicable.
2. Discuss any conflicts with any other adopted environmental plans and goals of the City or Region, if applicable.

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The 333 Fremont Street project would require review by the Planning Commission, and the Department of Public Works in the context of the *San Francisco General Plan* and other relevant plans. The City's *General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. Applicable area plans and elements of the *General Plan* include the *Rincon Hill Area Plan*, the Urban Design Element, the Residence Element, and the Commerce and Industry Element.

In general, potential conflicts with the *General Plan* are considered by decision makers independently of the environmental review process, as part of the decision whether to approve or disapprove a proposed project. Any potential conflict not identified here could be considered in that context, and would not alter the physical environmental effects of the proposed project.

If the project, on balance, were to have substantial conflicts with the *General Plan* objectives and policies, it could not be approved. Plans and Policies will be discussed in the EIR in the Land Use section. The Planning Department is currently working on a proposal for the rezoning of the Rincon Hill area (Rincon Hill Mixed Use District, Case Number 2000.1081). The Planning Department proposes to replace the *San Francisco Planning Code's (Planning Code)* Rincon Hill Special Use District (*Planning Code* Section 249.1) with a new Rincon Hill Mixed Use District, which would increase height limits, revise the "R" bulk district, amend the *Rincon Hill Area Plan* of the *General Plan*, and make other *General Plan* and Zoning changes in the Rincon Hill area. The EIR will evaluate the 333 Fremont project's compliance with existing zoning controls and with the proposed Rincon Hill Mixed Use District controls. As currently proposed, the 333 Fremont Street project could be approved under existing zoning controls.

The *Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Planning Code*, or an exception is granted pursuant to provisions of the *Planning Code*. The project would require Conditional Use Authorization by the Planning Commission for a building taller than forty feet in a R (Residential) District, and may require several variances from bulk and dwelling unit exposure controls.

In November 1986, the voters of San Francisco approved *Proposition M, the Accountable Planning Initiative*, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; maximization of earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project that requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. The case reports for the conditional use authorization and the zoning reclassification and/or subsequent motion for the Planning Commission or Board of Supervisors will contain the analyses determining whether the proposed project is in compliance with the Priority Policies.

The Planning Commission must certify an EIR as a complete and accurate environmental document for the project prior to taking any approval actions. The relationship of the project to *Planning Code* requirements will be described in the EIR.

B. ENVIRONMENTAL EFFECTS

Except for the categories of land use, population, transportation and historic architectural resources, the items on the Initial Study Environmental Evaluation Checklist have been checked "No," indicating that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect. For items where the conclusion is "To Be Determined," the analysis will be included in the EIR. Several of the Checklist items have been checked "Discussed," indicating that the Initial Study text includes discussion about that particular issue. For all of the items checked "No" without a discussion, the conclusions regarding potential significant adverse environmental effects are based on field observation, staff and consultant experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the Department's *Transportation Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each Checklist item, the evaluation has considered both the individual and cumulative impacts of the proposed project.

- | 1. <u>Land Use</u> - Could the project: | <u>Yes</u> | <u>No</u> | <u>Discussed</u> |
|---|--------------------------|-------------------------------------|-------------------------------------|
| a. Disrupt or divide the physical arrangement of an established community? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have any substantial impact upon the existing character of the vicinity? | | | <u>To Be Determined</u> |

As noted in the project description, the project site is within the Rincon Hill Special Use District/Residential Sub-District. The zoning is RC-4 (Residential/Commercial High-Density), and the project site is in a 200-R Height and Bulk District.

The project site is in the Southeast Quadrant of San Francisco, in an area known as Rincon Hill. The project site is about two blocks south of the Transbay Terminal, three blocks south of the Financial District, four blocks west of The Embarcadero, and about five blocks east of Moscone Convention Center. The Bay Bridge is about one block south of the site. One block southwest of the site, at First and Harrison Streets, is an on-ramp to the Bay Bridge. South of the project site, an elevated bus ramp extends in a north-south direction, leading from the Bay Bridge to the Transbay Terminal, located at First and Mission Streets.

Land uses in the vicinity of the project site consist primarily of residential uses to the east, including the 19-story, 226-unit Avalon Towers (at 388 Beale Street), and largely of office and commercial uses to the north, south and west. The project area is in transition between the high-rise office above retail use in the Downtown Commercial District and high-rise residential above office/retail use in the *Rincon Hill*

Area Plan. Currently, there is surface parking along the north side of Folsom Street from west of First Street to east of Beale Street on the site of the former Embarcadero elevated freeway.

Adjacent to the project site to the south, is a two-story, concrete framed office building with a basement (375 Fremont Street), an automotive repair shop (385 Fremont Street), and the Apostleship of the Sea building (a residential recovery center for substance abusers run by the CATS [Chemical Awareness Treatment Services], 399 Fremont Street) at the corner of Fremont and Harrison Streets. Adjacent to the project site to the north are two three-story office buildings (323 and 325 Fremont Street, respectively). At the corner of Fremont and Folsom Streets is the E.M. O'Donnell Copper Works three-story office building (353 Folsom Street). Residential projects proposed at 399 Fremont Street and 375 Fremont Street are under review at the Planning Department. A 200-foot residential loft project at 325 Fremont Street has been approved by the Planning Commission.

To the west across the street from the project site at the corner of Harrison and Fremont is a two-story computer technology office building (390 Fremont Street), a four-story Marine Cooks and Stewards Union building (350 Fremont Street), a three-story Marine Engineers Union building with surface parking areas (340 Fremont Street), and the approximately 9-story, windowless PG&E substation at the corner of Folsom and Fremont Streets.

To the west of the project site along First Street are several two- to six-story office, residential and live/work buildings, several of which have ground-floor retail or restaurant/bar uses. On the northwest corner of Harrison and First Streets is a gas station.

Land uses to the northwest of the project side along Folsom Street include the historic one-story Edwin Klockars Blacksmith Shop (City Landmark Number 149) and 333 First Street, a high-rise residential and mixed-use building complex currently under construction at the southeast corner of Folsom and First Streets.

East of the project site, facing Beale Street is the North Avalon Tower which, together with the adjacent South Tower, is a 226-unit residential building with ground-floor retail uses (388 Beale Street). Adjacent to the North Tower and north of the project site, facing Folsom and Beale Streets (at 300 Beale Street), is the 59-unit Embarcadero Lofts building with ground-floor retail. South of Harrison Street is the 20-story Bridgeview Residential Tower building (400 Beale Street).

In sum, the land uses in the vicinity of the project are a mix of residential, commercial (office and retail) utility, and parking uses. High-rise office buildings dominate the area north of Mission Street, and to some extent high-rise office towers are clustered in the area north of Folsom Street between The Embarcadero and Main Street. The remainder of the area between Mission and Harrison Streets, west of Main Street, constitutes the southern periphery of downtown. A larger portion of the Rincon Hill area

is characterized by a changing urban landscape composed of surface parking lots, low- to mid-rise industrial buildings and new and under-construction high-rise residential development.

Land use impacts are considered to be significant if they disrupt or divide the physical arrangement of an established community, or if they have a substantial impact upon the existing character of the vicinity. The proposed project would change the land use from office to more-intense mid-rise residential with below grade enclosed parking, and would increase the density of population and amount of vehicles on the site. However, it would be similar to if not smaller than the existing surrounding high rise residential development. The project would further extend the Rincon Hill Residential Sub-District north of Harrison Street, as envisioned in the *Rincon Hill Area Plan* (such as Avalon Towers), and would not be of such a size or magnitude that it would significantly alter the prevailing character of the area

While the proposed project would represent a change in use at the project site, the project would not amount to a significant adverse land use impact. The project would not disrupt or divide the physical arrangement of existing uses and activities that surround it. Those surrounding uses and activities would continue on their own sites and would interrelate with each other as they do at present, without substantial disruption from the proposed project.

In conclusion, the proposed project would not result in project-specific significant adverse land use impacts, however, the cumulative change to the land use in the Rincon Hill area could be potentially significant. The *Rincon Hill Area Plan*, the proposed rezoning of the Rincon Hill area, and other proposed projects call for a higher density of high-rise housing that would move closer to the downtown and Transbay area. The EIR will discuss the cumulative effect of changes to the existing Rincon Hill area land use and character.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
2. <u>Visual Quality</u> - Could the project:			
a. Have a substantial, demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially degrade or obstruct any scenic view or vista now observed from public areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Generate obtrusive light or glare substantially impacting other properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Aesthetics and Urban Design

Aesthetics and urban design are subjective, and individuals may hold differing opinions about the aesthetic design of any proposed project. The existing visual characteristics in the vicinity of the project site are varied, reflecting changing development patterns, land uses and architectural styles over the past hundred years.

General Downtown Form

A general pattern of densely clustered high-rise development in the downtown core, tapering off to low-rise development at its periphery characterizes San Francisco's skyline. This compact urban form (the downtown high-rise urban form") signifies the downtown as the center of commerce and activity. Yet despite its clarity of form, the downtown high-rise urban form is neither smooth nor uniform. A range of building heights in the downtown creates gaps, peaks, dips and inconsistencies within this pattern, allowing taller buildings and building tops to stand out in profile against the sky. This tension between conformity and variety in the skyline results in a readable and recognizable image for San Francisco.

South of the Transbay Terminal, from Main Street westward, the Terminal and its associated bus ramp systems and right-of-way have constrained post-World War II development. Building heights along this southern edge of the downtown high-rise urban form tend to drop off abruptly. The downtown area immediately south of the Transbay Terminal is occupied by surface parking, bus ramp structures, I-280 Freeway off-ramps, and low-rise early Twentieth Century buildings. Several new low and mid-rise buildings have been constructed, are being constructed, or have been recently approved for this area. By contrast, east of Main Street, the southern edge of the downtown high-rise urban form has not been constrained by the Transbay Terminal. The transition from the high-rise downtown core southward is more tapered and gradual. This general effect is particularly evident when this area is viewed from the Bay Bridge approaching the City.

Comparatively low buildings along the waterfront contribute to the tapering of height with the decrease of elevation from hilltops to water that is characteristic of San Francisco; this pattern allows views of the Pacific Ocean and the Bay. In the project vicinity, the transition from inland to the waterfront is similarly marked by a gradual stepping down of heights, as is recommended by the *Rincon Hill Area Plan* and the Urban Design Element of the *General Plan*. Nearby buildings on the waterfront incorporate an intricate, staggered design and are set back from the waterfront above the building base and at upper levels. This design approach acknowledges the meeting of the land and water while respecting the natural topography of the area; reduces the appearance of a towering street wall; and helps maintain a pedestrian-friendly environment close to the waterfront.

Project Vicinity

The project area is part of the Rincon Hill Area, which has historically been characterized by predominately low- to mid-rise industrial buildings and surface parking lots. Currently, the area is in the process of transformation and a number of comparatively high-intensity residential developments are under construction or have obtained approval to be built. The immediate project area is not within any district at the local, state or Federal level for its historical or architectural characteristics.

The project vicinity is not characterized by a large degree of visual coherence. Its visual character to the north is primarily defined by large areas of vacant land. Intervening between the project vicinity and

the downtown to the north is a mostly vacant east-west strip of land. This land, largely zoned P (Public Use), comprises the right-of-way for Transbay Terminal bus ramps, I-280 Freeway off-ramps, and land formerly occupied by the ramps to the now demolished Embarcadero Freeway. This is a portion of the area proposed to be included in the Transbay Redevelopment Project Area. The Golden Gate Transit bus parking lot occupying most of the block bounded by Folsom, Main, Howard and Beale Streets, and the two parking lots occupying the southern halves of blocks bounded by Folsom, Beale, Howard and Fremont Streets and by Folsom, Fremont, Howard and First Streets, respectively, are some of the publicly owned and large-scale potential development sites in the proposed Redevelopment Project Area.

In the immediate vicinity, large and vacant unrelieved expanses, together with the comparatively large block sizes and wide streets typical for this South-of-Market area, create a sense of scalelessness for pedestrians, accentuating perceived distances. The primary visual contribution of the vacant land is the unobstructed views that it affords northward to the downtown. Immediately north of the project site are three-story industrial buildings and at the corner of Folsom and Fremont Street is the concrete E.M. O'Donnell Copper Works three-story office building.

East of the project site is a combination of high-rise and mid-rise development. The early Twentieth Century building at 301 Folsom Street, a four-story concrete warehouse building (now The Embarcadero Lofts residences), built in 1937. It is characterized by its classically derived elements executed in a stylized, restrained "Art-Moderne" idiom. Also to the east are the Avalon Towers, which are irregular in form and smooth-skinned, terminated with a distinctive feature. Between the two structures is a landscaped area, sloping downward to the east, with a stairway to Beale Street.

As shown in Figure 10, page 20, south of the project are two- to three-story concrete frame industrial style buildings and the Apostleship of the Sea building at the corner of Fremont and Harrison Streets. The adjacent blocks south of Harrison Street are characterized by residential high-rise buildings such as the Bridge View Tower, surface parking lots and the Bay Bridge.

Prominent visual features to the west of the project site include two- to three-story industrial style buildings, the approximately 9-story, windowless, concrete PG&E substation structure, three- to four-story institutional-looking union halls, and the two-tower 333 First Street high-rise apartment building currently under construction. The 425 First Bank of American tower sits atop the Rincon Hill south of Harrison Street.

Despite a high degree of visual heterogeneity among nearby buildings, broad patterns are discernible. Buildings are generally built to the property lines, and, with the exception of the monolithic PG&E substation, the buildings along Fremont Street are two- to -five stories. The high-rise residential structures to the east of the project on Beale Street (the Avalon Towers and the Bridgeview Apartments) are readily apparent from Fremont Street, as well as 333 First Street.



Looking Northeast



Looking South

Source: Square One Productions.

PROJECT SITE VIEW ON FREMONT STREET FIGURE 10

A project would be considered to have an adverse impact on visual quality if it would cause a substantial demonstrable negative aesthetic effect. A project would have such an effect if it were to be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, or scale into the area.

The proposed building would increase the scale of development along Fremont Street from two two-story structures to an 80-foot tall mid-rise residential building. It would be approximately sixty feet taller than the adjacent buildings located on Fremont Street (325 and 375 Fremont), and would be the highest structure on the east side of the street. The proposed building would be taller than the buildings directly across Fremont Street, but would be lower than the PG&E substation on the corner of Folsom and Fremont Streets. The project building would be about 100 feet shorter than the Avalon Towers to the east and approximately 150 feet lower than the Bridgeview Apartments located to the southeast of the project. The project building would not be out of character with the massing of other nearby buildings (333 First Street, PG&E substation at Fremont and Folsom, and 425 First Street Bank of America tower).

The proposed glass curtain-wall exterior with bay windows on Fremont Street would contrast with the low-rise institutional/industrial-style buildings along Fremont Street. However, the sense of verticality of the mid-rise structure could complement the high-rise Avalon Towers and Bridgeview Apartments to the east.

In conclusion, the project vicinity is not characterized by an established, cohesive, distinctive or fragile visual character that would be degraded by the proposed project. The project would not be substantially incompatible with the surrounding environment by introducing a building of greater size, mass, or scale into the area.

Views

View corridors are defined as physical elements such as buildings and structures that guide lines of sight and control view directions available to pedestrians and motorists. The mid-block 333 Fremont Street project site affords several prominent views to the surrounding areas, including the Bay to the east; the skyline of downtown San Francisco and the Financial District to the north; the Bay Bridge to the south and the south of Market Street area and the Twin Peaks beyond to the west.

The Fremont Street view corridor in the project vicinity to the north consists of the vacant parking areas north of Folsom Street and the progressively taller buildings of the Downtown and the Financial District in the background. The Rincon Hill slope and the Bay Bridge limit views to the south. The views to the west are dominated by the PG&E substation, and the 333 First Street high-rise residential

development. Directly to the east, views between the Avalon Towers and the 301 Folsom Street building extend to the Embarcadero, and the Bay.

The upper-deck of the Bay Bridge affords expansive views of the City and the Bay, including the meeting of land and water, distant views of the hills, Twin Peaks and Mount Davidson, towards the west. The Downtown skyline which steps down towards the south and waterfront is visible from the Bay Bridge.

The project would have an adverse impacts on visual quality if it would substantially degrade important view corridors and obstruct scenic views. Visually, the immediate project vicinity is dominated by the two Avalon towers to the east and the PG&E substation and the two residential towers under construction at 333 First Street to the west. While the proposed project would create a vertical mid-rise form, it would not substantially alter the line of sight or control view directions due to the existing more prominent structures in the immediate area. This new form would alter transitory views enjoyed by motorists moving westbound on the Bay Bridge. Views from Harrison or Fremont Streets may be altered by the proposed building, although this effect would be limited due to the fact that the area already contains high-rise buildings.

Views from within private buildings in the area may include the hills to the west, the downtown skyline to the north, the bay to the east, and the Bay Bridge and ramps to the south. Some of these views could be obscured or blocked by the proposed project. The project, however, would not substantially change important view corridors or obstruct publicly accessible scenic views or vistas.

Light and Glare

Additional light would be introduced by the proposed project that would include nighttime illumination and outdoor lighting typical of multi-residential buildings in the City. The project would comply with Planning Commission Resolution No. 9212, which prohibits the use of mirrored or reflective glass. The proposed project would not contain mirrored or reflective glass and the building would not result in glare affecting other properties. The EIR will, therefore, not discuss light and glare.

In sum, the proposed project would change the visual character of the site and vicinity, and would alter the existing pattern of heights at this southern periphery of the downtown high-rise urban form. The project, however, would not result in significant adverse impacts on visual quality and urban design in San Francisco.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
3. <u>Population</u> - Could the project:			
a. Induce substantial growth or concentration of population?			<u>To Be Determined</u>
b. Displace a large number of people (involving either housing or employment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

c. Create a substantial demand for additional housing in

San Francisco, or substantially reduce the housing supply? ☐ ☒ ☒

The project site currently consists of two two-story office buildings, which have been vacant since August 2000. Approximately 108 employees could be accommodated in the existing office buildings on the site. According to the project sponsor, the proposed project would support about two janitorial, maintenance and building management employees. The project would therefore result in a net displacement of about 106 jobs on the project site. Because the existing buildings are currently vacant, the amount of employee displacement would not be substantial.

San Francisco is the central city (and most urban place) in an attractive region. The San Francisco Bay Area is known for its agreeable climate, open space, recreational opportunities, cultural amenities, a strong and diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support a strong demand for housing in San Francisco. Providing new housing to meet this strong demand is particularly difficult because the amount of land available is limited and land and development costs are relatively high. For these reasons, San Francisco consistently ranks as one of the most expensive housing markets in the United States.

During the period of 1990-2000, the number of new housing units completed citywide ranged from a low of about 350 units (1993) to a high of about 2,100 units (1990) per year. The citywide annual average over that 11-year period was about 1,130 units.²

In March 2001, the Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination (RHND) 1999-2006 allocation. The jurisdictional need of the City for 2006 is 20,370 dwelling units or an average yearly need of 2,546 net new dwelling units. The 88 units in the proposed project would help to satisfy this need.³

As stated above, there is substantial demand for new residential units in San Francisco. Based on household density factors⁴ of about 1.35 persons per dwelling unit, the proposed development is estimated to accommodate approximately 119 people. Currently, there are no residential units on the

² City and County of San Francisco Planning Department, *Housing Element of the General Plan*, February 2003, page 29.

³ *Ibid*, page 1

⁴ City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, *Mission Bay Final Subsequent EIR*, Planning Department File No. 96.771E, SCH No. 97092068, Vol. IV, Appendices, Table C.6, p. C.4 certified September 17, 1998.

site; new residential units have been built recently or are under construction in the Rincon Hill area, including the recently occupied Avalon Towers on Beale Street, the 350 units at First and Folsom Streets under construction, and the 245 units at the recently completed Bridgeview Towers at 400 Beale Street.

While potentially noticeable to immediately adjacent neighbors, the increase in the number of residents on the project site would not substantially increase the area-wide population, and the resulting density would not exceed levels that are common and accepted in high-density urban areas such as San Francisco.

The *Rincon Hill Area Plan*, an element of the *General Plan* calls for high-density residential uses in the area close to Downtown San Francisco. A majority of the people living in the Rincon Hill residential area could conceivably be employed in Downtown San Francisco, and could easily walk to work from home. While the proposed project would not result in project-specific significant adverse population impacts, the cumulative change to the population in the Rincon Hill area could be potentially significant. The *Rincon Hill Area Plan*, the proposed rezoning of the Rincon Hill area, and other proposed projects call for a higher density of population that would move closer to the downtown and Transbay area. The EIR will discuss the cumulative effect of changes to the existing Rincon Hill area population.

- | | <u>Yes</u> | <u>No</u> | <u>Discussed</u> |
|--|------------|-----------|-------------------------|
| 4. <u>Transportation/Circulation</u> - Could the project: | | | |
| a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system? | | | <u>To Be Determined</u> |
| b. Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards? | | | <u>To Be Determined</u> |
| c. Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity? | | | <u>To Be Determined</u> |
| d. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities? | | | <u>To Be Determined</u> |

The proposed project would include 81 parking spaces in a five-level parking garage for residents. The increase in residents on the project site would result in increased demands on the local transportation system, including increased traffic, transit demand, and parking demand. The EIR will discuss project effects related to transportation and circulation, including intersection operations, transit demand, and impacts on pedestrian circulation, parking, bicycles, and freight loading as well as construction impacts. The analysis will take into account the potential development occurring in the project vicinity.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
5. <u>Noise</u> - Could the project:			
a. Increase substantially the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate Title 24 Noise Insulation Standards, if applicable?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be substantially impacted by existing noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Ambient noise levels in the vicinity of the project site are typical of noise levels in urban San Francisco. Outdoor noise in the vicinity of the project area includes numerous potential sources of noise. The most significant existing source of noise throughout most of San Francisco is vehicular traffic, including trucks, cars, buses, and emergency vehicles. This is especially true of the project area because of the proximity of Interstate 80/Bay Bridge connection routes, and the Transbay Transit Terminal bus ramps. Non-traffic noise sources in the area include temporary construction noise due to other projects in the vicinity such as the new residential units at the Metropolitan 333 First Street under construction, and the Bay Bridge seismic retrofit. The nearest noise sensitive receptors to the project site are residential uses, including the Metropolitan 333 First Street project under construction, the Embarcadero Lofts (300 Beale), Avalon Towers (388 Beale), the Bridge View Towers on Beale Street (400 Beale), and the Bay Crest Residential building on Harrison Street (201 Harrison). Residences are also located on Guy and Lansing Streets about one block west of the project site, and at Hills Plaza (345 Spear Street), about two blocks east of the project site.

Effects on Ambient Noise Levels

Construction Noise

Project construction would increase noise levels in areas surrounding the project site. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers between noise source and listener. Construction activities associated with the project construction potentially could include excavation and hauling, foundation construction, steel erection, and finishing. The building would probably have a mat foundation; therefore pile driving would likely not occur. Construction activities would be temporary and intermittent and would occur at different times through the phases of project construction. Construction would extend for about 18 months: approximately two months would be devoted to excavation, two months would be devoted to foundation work, and 14 months would be devoted to erection and finishing. The noisiest construction periods would be during demolition of the existing buildings, excavation, and erection of the steel-frame tower; the first six to eight months of construction. Throughout the construction period there would be truck traffic to and from the site, hauling away excavated materials, or delivering building materials. It is anticipated that the construction hours would be normal working hours during the week, with possible limited work during nights or weekends.

Construction of other nearby projects, such as the proposed high rise residential towers at the Metropolitan at 333 First Street and the Bay Bridge retrofit, that coincide with construction of the proposed development would temporarily increase the overall noise levels in the immediate vicinity of construction activities, as the noise intensity would be greater with a larger number of noise sources. Additionally, several projects are proposed directly adjacent to the project site and the Rincon Hill Area.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA⁵ at a distance of 100 ft. from the source. Impact tools, such as jackhammers and impact wrenches, must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. The project demolition and construction operations would comply with the Noise Ordinance requirements. Compliance with the Noise Ordinance is required by law and would reduce any impacts to a less-than-significant level. Based on the above analysis, no analysis of construction noise will be presented in the EIR.

Traffic Noise

Generally, traffic must double in volume to produce a noticeable increase in noise levels. Traffic volumes would not be expected to double as a result of the project; therefore, substantial increases in traffic noise levels would not be anticipated in the project area.⁶ Traffic noise will not be analyzed in the EIR.

Building Equipment Noise

The proposed project would include mechanical equipment, such as air conditioning units and chillers, which could produce operational noise. These operations would be subject to the San Francisco Noise Ordinance, Article 29, Section 2909, which limits noise from building operations. Substantial increases in the ambient noise level due to building equipment noise would not be anticipated. Therefore, the EIR will not discuss building equipment noise.

⁵ dBA is a measure of sound in units of decibels (dB). The "A" denotes the A-weighted scale, which simulates the response of the human ear to various frequencies of sound.

⁶ LCW Consulting, *333 Fremont Street Transportation Study, Case No. 2002.1263!*, June 12, 2003, pages 25, 32, and 33. This report is available for public review by appointment in Project File No.2002.1263E at the Planning Department, 1660 Mission Street, Suite 500, San Francisco, CA.

Interior Noise Levels

Residential uses would be included in the proposed development. The noise insulation requirements of Title 24 of the California Code of Regulations apply to residential occupancies. Title 24 requires insulation sufficient to limit interior noise levels to 45 dBA or less at night. The Department of Building Inspection would review the final building plans to insure that the building wall and floor/ceiling assemblies meet state standards regarding sound transmission.

The existing background noise levels in the project area are typical of noise levels in urban San Francisco. The existing noise would be occasionally noticeable within the proposed building and would dominate the noise environment of the proposed open space. Because the proposed development would comply with the Title 24 noise insulation requirements, the existing noise environment would not negatively affect occupant use. Based on this information, the effect of existing noise levels on the proposed development will not require analysis in the EIR.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
6. <u>Air Quality/Climate</u> - Could the project:			
a. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Permeate its vicinity with objectionable odors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Air quality impacts from a project, such as the proposed residential building, result from project construction and operation. Construction emissions, primarily criteria air pollutants emitted by construction vehicles, would have a short-term effect on air quality. Operational emissions, generated by project-related traffic and by combustion of natural gas for building space and water heating, would continue to affect air quality throughout the lifetime of the project.

Construction Emissions

Construction activities of the proposed residential project that could have an effect on air quality would involve demolition of the existing buildings, excavation and grading operations, and wind blowing over exposed earth. The construction activities would temporarily affect local air quality for a period of six months.

Fine particulate matter (PM₁₀) is the pollutant of greatest concern with respect to construction activities.⁷ There would be about 12,860 cubic yards of fill removed for the foundation and below-grade parking garage, which would generate exhaust emissions and fugitive particulate matter emissions. More of a nuisance than a hazard for most people, this dust could affect persons with respiratory diseases, as well as sensitive electronic or communications equipment. Construction activities would not involve burning of any materials and would not create objectionable odors.

Consistent with Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines, construction-period air emissions are considered less than significant if effective control measures are implemented such as those listed in Mitigation Measure 1, which would require all debris to be covered and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants.

Operations Emissions

The operation of a project would have a significant effect on the environment with respect to air quality if it would violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The BAAQMD specifies the significance criteria as follows⁸: (1) the project impacts would be considered significant if they cause operation-related emissions equal to or exceeding an established threshold of 80 pounds per day of reactive organic gases (ROG also known as reactive hydrocarbons), nitrogen oxides (NO_x including NO₂),⁹ or PM₁₀, (ozone precursors), or cause carbon monoxide (CO) concentrations to exceed the state ambient air quality standards of more than 550 pounds per day of emissions; and (2) the project impacts would also be considered to have a significant contribution to cumulative regional air quality effects if the project impacts exceed these standards.

Project operation would affect local air quality by increasing the number of vehicles on nearby roads and at the project site, and by introducing stationary emissions to the project site. Transportation sources are the primary source of operational project-related emissions.¹⁰ Stationary source emissions, generated by combustion of natural gas for building space and water heating, would be less-than-significant.

⁷ Bay Area Air Quality Management District, *BAAQMD CEQA Guidelines, Assessing the Air Quality Impacts of Projects and Plans*, December 1999.

⁸ *BAAQMD CEQA Guidelines, op. cit.*

⁹ Nitrogen Oxides are a class of pollutants comprised of N and O. Of the several nitrogen oxides, only one (NO₂) is considered a primary pollutant with a specific AQ standard. All nitrogen oxides are contributors to ozone formation.

¹⁰ *Ibid.*

Project-related traffic may result in areas with high concentrations of carbon monoxide around stagnation points such as major intersections and heavily traveled and congested highways. The BAAQMD has identified three threshold standards, any one of which would require the estimation of local carbon monoxide concentrations¹¹:

- Project related vehicle CO emissions would exceed 550 pounds per day.
- Project generated traffic would impact intersections or roadway links operating at Level of Service (LOS) D, E or F or would cause LOS to decline to D, E or F.; and
- Project traffic would increase traffic volumes on nearby roadways by ten percent or more.

The proposed project would not exceed the BAAQMD standards: the CO emissions would be less than 550 pounds per day; the project generated traffic would not impact intersections Levels of Service; and project traffic would be less than ten percent of existing traffic volumes.¹² The project would not contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. Therefore, air quality impacts, including project construction and local and regional impacts of project operation, will not be analyzed in the EIR.

Odors

The proposed project would be a residential development with parking, and would not be the type of use that would permeate the vicinity with objectionable odors. Therefore, the EIR will not discuss this issue.

Shadow

The proposed 333 Fremont Street project would replace the two two-story buildings with an eight-story mid-rise building. This would increase the amount of shadow on area streets and sidewalks at certain times of the day and year. Section 295 of the *Planning Code* was adopted in response to Proposition K (passed in November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year-around. Section 295 restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet unless the Planning Commission finds the impact to be insignificant. To determine whether this project would comply with Section 295, a shadow fan analysis was prepared by the Planning Department, which concluded that project-generated shadow would not reach any Proposition K protected properties (a copy of this report is available for review by appointment in Project File No. 2002.1263E at the Planning Department, 1660 Mission Street, San Francisco). The proposed building, however, would at times shade portions of Fremont Street, as well

¹¹ BAAQMD CEQA Guidelines, *op. cit.*

¹² Traffic information may be found in the *333 Fremont Street Transportation Study* cited in footnote 6.

as the sidewalks adjacent to the project site along these streets. The proposed building also would cast shadows on buildings on the west side of Fremont Street during the morning hours. The new shadows created by the project would not exceed levels commonly expected in urban areas, and would not be considered significant. Hence, the EIR will not discuss project shadow.

Wind

Large buildings can redirect wind flows around and down to street level, resulting in increased wind speed and turbulence at street level. To provide a comfortable wind environment for San Franciscans, the City established specific comfort criteria for evaluation of proposed buildings. The *City Planning Code* specifically outlines these criteria for the Downtown Commercial (C-3) Districts and for Rincon Hill, Van Ness Avenue, and part of the South of Market Area (*City Planning Code*, Sections 148, 249.1(b)(3), 243(c)(9), 263.11(c)). The project site is in the Rincon Hill Special Use District. The pedestrian comfort criteria in Section 148 of the *City Planning Code* are based on pedestrian-level wind speeds that include the effects of turbulence. These adjusted wind speeds are referred to as “equivalent wind speeds.” Section 148 establishes an equivalent wind speed of seven miles per hour in seating areas and 11 miles per hour in areas of substantial pedestrian use as comfort criteria. New buildings and additions to buildings may not cause ground-level winds to exceed these levels more than ten percent of the time year round between 7:00 a.m. and 6:00 p.m. If existing wind speeds exceed the comfort level, new buildings and additions must be designed to reduce ambient wind speeds to meet these requirements. An exception to this requirement may be permitted but only if and to the extent that the project sponsor demonstrates that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question.

Section 148 of the *City Planning Code* also establishes as a hazard criterion an equivalent wind speed of 26 miles per hour for a single full hour per year. No building or addition would be permitted that would cause wind speeds to exceed the hazard level for more than one hour of any year.

A wind analysis conducted for proposed development adjacent to the project indicated that the general vicinity of the project site is moderate to windy; the average wind speed for 21 points tested in a wind tunnel is 9.3 mph.¹³ Wind speeds ranged from 5 to 20 mph. The highest wind speeds in the vicinity (20mph) occur in front of the Apostleship of the Sea Building (399 Fremont) located at the northeast corner of Harrison and First Streets. Seventeen of the 21 existing setting points currently are at or less than the *Planning Codes*’s pedestrian-comfort criterion of 11 mph. The wind hazard criterion of 36 mph is not currently exceeded at any of the 21 existing setting test locations.

¹³ Charles Bennett, *Potential Wind Conditions, Proposed 375 Fremont Street Development*, October 1, 2003. This report is available for public review by appointment in Project File No.2002.0449E at the Planning Department, 1660 Mission Street, Suite 500, San Francisco, CA.

The new 333 Fremont Street building would not be of sufficient height to generate enough wind or otherwise substantially alter pedestrian wind levels to a degree that would require a wind tunnel analysis. The proposed project building would not cause wind levels to exceed the *Planning Code* hazard criterion because of the building's exposure, massing and orientation of the proposed design. While the Fremont Street facade of the building is somewhat exposed and continuous (indicating that wind accelerations are likely), the project's mid-block location and relatively low height would suggest that any such accelerations would be moderate.¹⁴ Therefore, this topic requires no further analysis and will not be discussed in the EIR.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
7. <u>Utilities/Public Services</u> - Could the project:			
a. Breach published national, state or local standards relating to solid waste or litter control?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Extend a sewer trunk line with capacity to serve new development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase demand for schools, recreation or other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Require major expansion of power, water, or communications facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would increase demand for and use of public services, but not in excess of amounts expected and provided for in this area.

Solid Waste

San Francisco's solid waste is disposed of at the Altamont Landfill. A substantial expansion of the landfill was approved in 1997 that will be able to accommodate San Francisco's solid waste stream well into the future. The solid waste associated with the project construction and operation would not substantially affect the projected life of the Altamont Landfill, and no associated impacts would occur; therefore, the EIR will not discuss the issue of solid waste generation.

¹⁴ Charles Bennett, *Wind Evaluation of Proposed Project 329-349 Fremont Street Residential Development*, June 5, 2003. This report is available for public review by appointment in Project File No.2002.0126E at the Planning Department, 1660 Mission Street, Suite 500, San Francisco, CA.

Sewer and Wastewater Treatment Plant Capacity

The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. No major new sewer construction would be needed to serve the proposed project. Wastewater treatment for the east side of the City is provided primarily by the Southeast Water Pollution Control Plant. The project would meet wastewater pre-treatment requirements of the San Francisco Public Utilities Commission, as required by the San Francisco Industrial Waste Ordinance.¹⁵ The project would have little effect on the total wastewater volume discharged through the combined sewer system, particularly since stormwater runoff contributes greatly to the total flow and the site is already paved (resulting in maximum stormwater flows). The project would not result in a substantial increase in demand for wastewater treatment, and thus it would not result in a significant impact. The EIR will not evaluate demand on wastewater treatment facilities.

Public Services

Police and Fire Protection. The project site presently receives police and fire protection services, and would create additional demand for fire and police services in the area. The nearest police station is located at the Hall of Justice at 850 Bryant Street. Although the project could increase the number of calls received from the area or the level of oversight that must be provided as a result of the increased concentration of activity on site, the increase in responsibilities would not likely be substantial in light of the existing demand for police protection services in the South of Market area. The nearest fire station, Engine 35, is located at Pier Twenty-Two and a Half on The Embarcadero at Harrison Street. Although the project could increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on site, the increase in responsibilities would not likely be substantial in light of the existing demand for fire protection services in the Rincon Hill-Rincon Point area. Furthermore, the increase in demand would not require the construction of any new police or fire prevention facilities, and thus would not result in an associated significant impact. For these reasons, the EIR will not discuss police or fire protection services.

Schools and Recreation Facilities. The nearest elementary school is the Bessie Carmichael Elementary School at 55 Sherman Street, the nearest middle school is the Potrero Hill Middle School at 655 De Haro Street, and the closest high school is Mission High School at 3750 18th Street. These schools would be able to accommodate any new students residing at the project site. The project population would not have an associated significant demand for schools and recreation facilities that could not be accommodated by existing facilities. This topic will not be discussed in the EIR.

¹⁵ City and County of San Francisco, Ordinance No. 19-92, San Francisco Municipal Code (Public Works), Part II, Chapter X, Article 4.1 (amended), January 13, 1992.

Power and Communications Facilities. The proposed building would require typical utility connections and would likely tap into existing power and communications grids. Any relocation would be completed without interruption of service to adjacent properties.

San Francisco consumers have recently experienced rising energy costs and uncertainties regarding the supply of electricity. The root causes of these conditions are under investigation and are the subject of much debate. Part of the problem is thought to be that the State does not generate sufficient energy to meet its demand and must import energy from outside sources. Another part of the problem may be the lack of cost controls as a result of deregulation. The California Energy Commission (CEC) is currently considering applications for the development of new power-generating facilities in San Francisco, the Bay Area and elsewhere in the State. These facilities could supply additional energy to the power supply “grid” within the next few years. These efforts, together with conservation, will be part of the statewide effort to achieve energy sufficiency.

Nevertheless, the project-generated demand for electricity would be negligible in the context of the overall demand with San Francisco and the State, and would not in and of itself require a major expansion of power facilities. No new power or communications facilities would be necessary as a result of project implementation. Thus, the proposed project would not result in an associated significant physical environmental effect due to increased energy demand. The EIR will not discuss this issue.

Water Supply Facilities. The proposed project would generate an estimated demand for about 10,120 gallons of water per day.¹⁶ There is currently limited consumption of water on the site. The proposed project would incrementally increase the demand for water in San Francisco. The new construction would be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the California State Building Code Section 402.0(c). The projected water consumption for the proposed project was assumed in the San Francisco Public Utilities Commission’s *Urban Water Management Plan 2000* and an adequate water supply would be available for the project.¹⁷

Because project water demand could be accommodated by the existing supply, it would not result in a substantial increase in water use, it would not result in a significant impact. Therefore, the EIR will not discuss water supply facilities.

¹⁶ Daniel Steiner, consulting engineer, *Estimated Water Use by 500 Dwellings*, February 26, 2002. The estimate of 115 gallons per day per household is consistent with water use assumption incorporated within the San Francisco Public Utility Commission’s (SFPUC) Year 2000 Urban Water Management Plan (UWMP). 115 gallons x 88 units = 10,120 gallons per day.

¹⁷ The SFPUC’s UWMP update 2000 is based on the ABAG Year 2000 Projections, which include all known or expected development projects in San Francisco through the Year 2020.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
8. <u>Biology</u> - Could the project:			
a. Substantially affect a rare or endangered species of animal or plant, or the habitat of the species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require removal of substantial numbers of mature, scenic trees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is within a developed area of the City, and is completely covered by impervious surfaces. The site does not provide habitat for any rare, threatened, or endangered plant or animal species, and the proposed project would not affect, or substantially diminish, plant or animal habitats. The project would not interfere with any resident or migratory species. No trees would be removed. The open space proposed as part of the project would include plants and street trees appropriate for the urban landscape in the project area. In conclusion, the proposed project would not result in significant adverse impacts on biology. Therefore, the EIR will not discuss biology.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
9. <u>Geology/Topography</u> - Could the project:			
a. Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

The Community Safety Element of the *San Francisco General Plan* contains maps that indicate areas in which one or more geologic hazards exist. The project site is located in an area subject to "non-structural to moderate" damage (Modified Mercalli Intensity VII) from seismic groundshaking originated by a characteristic earthquake (Moment Magnitude 7.1) along the San Andreas fault approximately six miles southwest of San Francisco, and the Northern Hayward fault approximately 12 miles northeast of San Francisco (Maps 2 and 3 in the Community Safety Element). The project site is also in an area of liquefaction potential (Map 4 of the Community Safety Element). The project site is not in an area subject to landslide, seiche or tsunami run-up or reservoir hazards (Maps 5, 6, and 7 in the Community Safety Element).¹⁸

¹⁸ City and County of San Francisco, *Community Safety Element, San Francisco General Plan*, April, 1997.

Along Fremont Street, the grade slopes about eight percent down towards the northwest. The project property also slopes down to the east and the elevations vary from approximately 40 feet to 50 feet ¹⁹ along Fremont Street, and from approximately 30 to 40 feet along the northeast side.

The project sponsor has provided a feasibility geotechnical review prepared by a California-licensed geotechnical engineer.²⁰ The document includes a site reconnaissance report and a review of geotechnical reports for projects adjacent to or nearby the project site (325 Fremont Street, 375 Fremont Street, 385 Fremont Street, 388 Beale Street [Avalon Towers], 400 Beale Street, 333 First Street). The purpose of the study was to evaluate subsurface conditions at the site and present preliminary geotechnical conclusions and recommendations for evaluating the feasibility of the proposed project.

The report indicates that the site is underlain by fill, on the order of 13 feet. The fill in the area is underlain by native soil and bedrock, and in some locations is underlain directly by bedrock. Bedrock is exposed at the ground surface south and west of the site near the intersection of Harrison and Beale Streets and near the Bay Bridge off ramps. The bedrock surface generally slopes downward to the north and east following the topography of the site. The fill consists of loose to medium dense clayey sand with variable amounts of brick fragments that may be rubble from the 1906 earthquake. Sand fill, containing rubble was used to fill-in basements and raise grades. The soil encountered directly below the fill varies from dense to very dense clayey and silty sand to stiff sandy clay. Bedrock may be within about ten feet of the ground surface along the southeast side of the site, but could be in excess of 80 feet along the northwest end because of the dip of the bedrock. Bedrock in the area is sandstone and shale of the Franciscan Complex.

Groundwater was encountered in borings near the site ranging from 2.5 to 10 feet below ground surface (bgs). The groundwater level fluctuates seasonally and could be encountered at various elevations. At the northwest end, where the bedrock is deep, the ground water level would be in the soil above bedrock at depths of 30 to 40 feet bgs. It is expected to be present in seams and fractures in the bedrock.

The proposed building foundation and three- and one-half-level parking garage would require excavation to a depth of approximately 30 feet bgs mid-point of the site along Fremont Street and the removal of about 12,860 cubic yards of fill (one basement level already exists). Because of the shallow nature of the water table, the excavation for the proposed structure would trigger the need for dewatering. Any groundwater encountered during construction of the proposed project would be subject to requirements

¹⁹ All elevations are referenced to San Francisco City Datum (mean sea level)

²⁰ Treadwell & Rollo, *Geotechnical Review, 333 Fremont Street, San Francisco*, February 25, 2002. This report is available for public review by appointment in Project File No.2002.1263E at the Planning Department, 1660 Mission Street, Suite 500, San Francisco, CA.

of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Environmental Regulation and Management (BERM), of the San Francisco Public Utilities Commission must be notified of projects necessitating dewatering, and may require groundwater analysis before discharge. Potential degradation of groundwater quality as a result of dewatering during project construction would be reduced to a less-than-significant level through the BERM requirement for retention of groundwater pumped from the project site in a holding tank, and analysis of the quality of this groundwater before it is discharged to the combined sanitary and storm drain sewer system.

Should dewatering be necessary, the final foundation study for the project would address the potential settlement and subsidence impacts of this dewatering. Based upon this discussion, the report would contain a determination as to whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, the Department of Public Works would require that a Special Inspector (as defined in Article 3 of the *Building Code*) be retained by the project sponsor to perform this monitoring. Groundwater observation wells would be installed to monitor potential settlement and subsidence. If, in the judgment of the Special Inspector, unacceptable movement were to occur during dewatering, groundwater recharge would be used to halt this settlement. If necessary, construction would be delayed. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor.

The *Building Code* also contains provisions which require that grading on slopes of greater than 2:1, or where cut sections will exceed ten vertical feet, must be done in accordance with the recommendations of a soil engineering report. The recommendations contained in the Feasibility Geotechnical Study include but are not limited to:

- A detailed geotechnical study should be prepared for the project site.
- The preliminary conclusion is that a mat would be the most appropriate foundation type.
- The need for shoring to support the sides of the excavation and for underpinning to support adjacent buildings should be evaluated based on the depth of the building's foundations and the type of shoring used.
- A soldier beam and lagging shoring system with tiebacks can be used to support the sides of the excavation. Because the soldier beam and lagging system is a flexible shoring system, it would

likely be necessary to underpin the adjacent buildings that have foundations above the bottom of the proposed project excavation.²¹

- All pavement and other foundations structures of the existing building on the project site should be removed during demolition.
- To provide a stable subgrade during construction, the groundwater should be drawn down at least three feet below the bottom of the excavation.
- Provisions for waterproofing and resisting hydrostatic uplift pressures should be included in the foundation design.
- Bedrock and soil can be generally excavated with heavy-duty earth moving equipment except where hard rock is encountered or in confined areas. Heavy ripping and hoe-ram type equipment may be required to remove more competent bedrock.

The geotechnical report indicates that the project would be suitable for development provided that the recommendations included in the report are incorporated into the design and construction of the proposed development. The Building Department would make a determination on which recommendations would be required.

The project site is also located in an area of liquefaction potential, in a Seismic Hazards Study Zone (SHSZ) designated by the California Division of Mines and Geology. For any development proposal in an area of liquefaction potential, the Department of Building Inspection (DBI) will, in its review of the building permit application, require the project sponsor to prepare a geotechnical report pursuant to the State Seismic Hazards Mapping Act. The report would assess the nature and severity of the hazard(s) on the site and recommend project design and construction features that would reduce the hazards(s).

To ensure compliance with all *San Francisco Building Code* provisions regarding structural safety, when DBI reviews the geotechnical report and building plans for a proposed project, it will determine necessary engineering and design features for the project to reduce potential damage to structures from groundshaking and liquefaction. Therefore, potential damage to structures from geologic hazards on a project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the *Building Code*. The EIR will not address geology and soils.

²¹ It is possible to excavate without encroaching on adjacent property, however, it would require a more expensive system of tiebacks on the project site and a loss of parking space due to construction of wider foundation walls. Richard Rodgers, Treadwell & Rollo, telephone conversation August 12, 2003.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
10. <u>Water</u> - Could the project:			
a. Substantially degrade water quality, or contaminate a public water supply?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially degrade or deplete groundwater resources, or interfere substantially with groundwater recharge?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Cause substantial flooding, erosion or siltation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Water Quality

The proposed project would not substantially degrade water quality or contaminate a public water supply. All sanitary wastewater from the proposed building and stormwater runoff from the project site would be collected and treated at the Southeast Water Pollution Control Plant prior to discharge in San Francisco Bay. Treatment would be provided pursuant to the effluent discharge limitations set by the plant's National Pollutant Discharge Elimination System (NPDES) permit. See page 32 for a discussion of sewer and wastewater treatment plant capacity. See Flooding, Erosion and Siltation below for a discussion of water quality during construction.

Groundwater Resources

The project would include excavation to about 30 feet in depth to accommodate up to three and a half levels of underground parking. Groundwater may be found at depths of 2.5 to 35 feet. Dewatering could be required and is discussed on pages 35 and 36.

No use of groundwater currently exists on the site and none is proposed. Therefore, groundwater resources would not be substantially degraded or depleted, and the project would not interfere substantially with groundwater recharge. In conclusion, the proposed project would not result in significant adverse impacts on surface water or groundwater quality. Therefore, the EIR will not include analysis of hydrology and water quality issues.

Flooding, Erosion and Siltation

The project site is currently covered by impervious surfaces. Site drainage would be redesigned to take into account the below-grade parking garage, but site runoff would continue to drain to the City's combined storm and sanitary sewer system and would be treated to the standards contained in the City's NPDES Permit. The foundation and below-grade portions of the building would be water tight to avoid the need to permanently pump and discharge water. Stormwater runoff from upstream of the site would be collected along Fremont Street and would discharge into the City storm drain system. During construction, requirements to reduce erosion would be implemented pursuant to *California Building*

Code Chapter 33, Excavation and Grading. During project operations, the project would comply with all local discharge requirements.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
11. <u>Energy/Natural Resources</u> - Could the project:			
a. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner? <input type="checkbox"/>		■	■
b. Have a substantial effect on the potential use, extraction, or depletion of a natural resource? <input type="checkbox"/>		■	■

Energy Use

The project includes new residential units and parking. Development of these uses would not result in use of large amounts of fuel, water or energy in the context of energy use throughout the City and region. The project would meet current state and local codes concerning energy consumption, including Title 24 of the *California Code of Regulations*, enforced by the Department of Building Inspection. For this reason, the project would not cause a wasteful use of energy, and would have a less-than-significant impact on energy and natural resources.

Because the project would comply with the energy efficiency regulations of Title 24, it would not be considered to use energy wastefully. Based on this evaluation, no substantial environmental effects related to energy use are expected from the proposed project, and energy consumption will not be discussed in the EIR.

Natural Resource Use

Other than natural gas and coal fuel used to generate the electricity for the project construction and operation, the project would not use substantial quantities of other non-renewable natural resources. Therefore, the project would not have a substantial effect on the use, extraction, or depletion of a natural resource, and this topic is not required to be analyzed in the EIR.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
12. <u>Hazards</u> - Could the project:			
a. Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected? <input type="checkbox"/>		■	■
b. Interfere with emergency response plans or emergency evacuation plans? <input type="checkbox"/>		■	■
c. Create a potentially substantial fire hazard? <input type="checkbox"/>		■	■

Public Health Hazards and Hazardous Materials

A Phase I Environmental Site Assessment (ESA) was prepared for the project site by an independent consultant.²² The Phase I ESA was conducted to identify possible environmental concerns related to on-site or nearby chemical use, storage, handling, spillage, and/or on-site disposal, with particular focus on potential degradation of soil and groundwater quality.

The Phase I noted that the project site has served several uses in the past including machine repair and service, metal engraving operations, printing and color processing uses, storage, and commercial office space.

As part of the Phase I ESA, various databases of hazardous waste sites were reviewed. The project site is not included in any of the database lists of such sites, although there are some records of hazardous materials in the vicinity of the project site downslope to the north and east.

The Maher Ordinance is a San Francisco regulation that requires certain environmental actions for various sites but those primarily “Bayward of the high-tide line.” The site is not within the limits of the ordinance.

Soil Contamination

The site is underlain by approximately 13 feet of fill material composed of loose to medium dense clayey sand with varying amounts of brick fragments that may be rubble from the 1906 earthquake. The soil encountered directly below the fill varies from dense to very dense clayey and silty sand to bedrock.

Construction of the new building at 333 Fremont Street would entail excavation of about 12,860 cubic yards of soil. If additional environmental studies conclude that soil and groundwater conditions could pose significant human health or safety hazards, a Site Mitigation Plan (SMP) and a Health and Safety (H&S) Plan would be required prior to initiating any earth-moving activities at the site. The plan would contain policies and procedures to protect site workers from potential health and safety impacts related to contaminated soil and groundwater. The project sponsor has agreed to implement Mitigation Measure Number 2 in the Mitigation Measures section of this Initial Study, which would ensure that any potential impacts due to the presence of petroleum hydrocarbons, heavy metals, or other hazardous materials in soils on the project site would be reduced to a less-than-significant level.

²² SCA Environmental, Inc. *Phase I Environmental Site Assessment, 333 Fremont Street, San Francisco, CA*, April 25, 2000. This report is available for public review by appointment in Project File No.2002.1263E at the Planning Department, 1660 Mission Street, Suite 500, San Francisco, CA.

Site remediation measures in themselves could have impacts. During site remediation, workers, and possibly the public, could be exposed to chemical compounds in the soil, soil gases, or groundwater. The public and the environment could be exposed to airborne chemical compounds migrating from a site under remediation. Accidents during transportation of contaminated soils and/or groundwater could lead to exposure of the public and the environment to the chemical compounds. Potential impacts of remediation would be mitigated, in part, by legally required safety and hazardous waste handling and transportation precautions. These measures would serve to protect human health and the environment during site remediation, thus minimizing remediation impacts to below a significant level.

Serpentine Containing Asbestos

The proposed excavation for below-grade parking levels would encounter Franciscan Formation bedrock that could contain chrysotile, a variety of serpentine that constitutes a potentially harmful form of asbestos. If chrysotile serpentine were present in the rock, operations such as drilling, ripping, and off-hauling could produce dust that contains asbestos. Because asbestos poses a hazard when it is in a friable (crushed) condition and becomes airborne, this could be a short-term construction hazard possibly affecting on-site personnel and persons in near-vicinity, off-site locations. If construction operations would disturb chrysotile serpentine in the bedrock, Mitigation Measure 2 would be established to limit dust generation and adequately protect on-site workers and neighbors against prolonged asbestos exposure. Implementation of Mitigation Measure Number 2 by the project sponsor would minimize potential impacts related to serpentine containing asbestos to a less-than-significant level.

Asbestos

The existing buildings on the project site were constructed in approximately 1913, a period of time when asbestos was used in buildings. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The Bay Area Air Quality Management District (BAAQMD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District will inspect any removal operation for which a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material is required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, the Department of Building Inspection (DBI) would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would insure that any potential impacts due to asbestos would be reduced to a level of insignificance. The presence of asbestos on the project site, therefore, would not be considered a potentially significant impact.

Lead-based Paint

Lead-based paint may be found in the existing buildings, constructed in 1913, and proposed for demolition as part of the project. Demolition must comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to December 31, 1978, Chapter 36 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Chapter 36 applies to buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces), where more than ten total square feet of lead-based paint would be disturbed or removed. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the Department of Housing and Urban Development (HUD) Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance also includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party must provide written notice to the Director of the Department of Building Inspection, of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or nonresidential, owner-occupied or rental property, approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Sign When Containment is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures by the *San Francisco Building Code* would ensure that potential impacts of demolition, due to lead-based paint, would be reduced to a level of insignificance. The presence of lead paint on the project site would not be considered a potentially significant impact.

Other Potential Hazardous Materials

The proposed project includes demolition of the existing buildings that may contain PCBs and mercury. Inadvertent release of such materials could expose construction workers, occupants, or visitors to these substances, which could result in various adverse health effects if exposure were of sufficient quantity. Although abatement programs similar to those described for asbestos and lead-based paint have not been adopted for PCB and mercury testing and cleanup, items containing PCBs and mercury that are intended for disposal must be managed as hazardous waste and must be handled in accordance with OSHA worker protection requirements. Nonetheless, potential impacts associated with PCBs and mercury in structures would be considered potentially significant.

Hazardous building materials sampling and abatement, as described in Mitigation Measure 3, would reduce potential impacts associated with PCBs and mercury in structures to a less-than-significant level.

Hazardous Materials Use of the Proposed Project

Regarding the potential for public health hazards, the proposed project would involve residential and parking development that would require relatively small quantities of hazardous materials for routine business and household purposes. The development would likely handle common types of hazardous

materials, such as paints, cleaners, toners, solvents, and disinfectants. These commercial products are labeled to inform users of potential risks and to instruct them in appropriate handling and disposal procedures. Most of the materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials, and adequately training workers. For these reasons, hazardous materials use associated with the project would not pose any substantial public health or safety hazards related to hazardous materials.

Emergency Response Plans

No interference with emergency response plans or emergency excavation plans would be expected. The project sponsor would develop an evacuation and emergency response plan in consultation with the Mayor's Office of Emergency Services to ensure coordination between San Francisco's emergency planning activities and the project sponsor's plan to provide for building occupants in the event of an emergency. The project's sponsor's plan would be reviewed by the Office of Emergency Services and implemented before the Department of Public Works issues final building permits. Occupants of the proposed building would contribute to congestion if an emergency evacuation of the South of Market area were required. Section 12.202(e)(1) of the *San Francisco Fire Code* requires that all owners of high-rise buildings (over 75 feet) "shall establish or cause to be established procedures to be followed in case of fire or other emergencies. All such procedures shall be reviewed and approved by the chief of division." Additionally, project construction would have to conform to the provisions of the Building and Fire Codes which require additional life-safety protections for high-rise and mid-rise buildings.

Fire Hazards

San Francisco ensures fire safety primarily through provisions of the *Building Code* and the *Fire Code*. Existing buildings are required to meet standards contained in these codes. In addition, the final building plans for any new residential project greater than two units are reviewed by the San Francisco Fire Department (as well as the Department of Building Inspection), in order to ensure conformance with these provisions. The proposed project would conform to these standards, including development of an emergency procedure manual and an exit drill plan. In this way, potential fire hazards (including those associated with hillside development, hydrant water pressure, and emergency access) would be mitigated during the permit review process.

In conclusion, potential public health and safety hazards related to the possible presence of heavy metals on the project site, and potential fire hazards in the new building would be reduced to a less than significant level as a result of regulations and procedures already established as part of the review process for building permits and mitigation proposed as part of the project. Therefore, the EIR will not discuss hazards.

13. **Cultural** - Could the project:

- | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|
| a. Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community, ethnic or social group; or a paleontological site except as a part of a scientific study? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with established recreational, educational, religious or scientific uses of the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with the preservation of buildings subject to the provisions of Article 10 or (proposed) Article 11 of the City Planning Code? | | | <u>To Be Determined</u> |

Archaeological Resources

An archaeological resource evaluation has been prepared for the proposed project. The *Archeological Cultural Resources Evaluation of the Proposed 333 Fremont Street Project* (Archeo-Tec February 2003) addresses the prehistoric, historic, and natural formation contexts of the project site; the potential for archaeological resources to be present; and the eligibility of the expected resources for listing to the California Register of Historic Places (CRHR). In its natural state, the project site was situated on the slope of Rincon Hill. The vegetation at the site was probably similar to that of most of the northern San Francisco peninsula -- mainly grasses, scrub brush, and occasional stands of oak trees or willows. Elevations of the site ranged between approximately 40 and 50 feet above mean sea level. The original shoreline of San Francisco Bay was located on three sides of the project site: the tip of Rincon Point was located about one-third mile to the east and the bay shoreline was located to the north and south of the project site, at distances ranging between 225 to 300 feet.

The project site is situated in what was, prior to the arrival of the first Europeans, the northwestern portion of the territory occupied by the Costanoan people, a Native American group also referred to in anthropological literature as the Ohlone. The marshes of Mission Bay, the shoreline of Yerba Buena Cove, and several sources of fresh water were located near the project site. Previous research has shown that such environments may have represented favorable sites for a Native American settlement. Several deeply buried, previously unrecorded prehistoric sites have been recently discovered in the South of Market area, one within two blocks of the project site. These deeply buried sites remained intact despite the topographical alteration that has taken place since the 1850s. An assessment of the characteristics of these archaeological sites and their proximity to the shoreline of Yerba Buena Cove and the marshes bordering Mission Bay suggests that similar prehistoric/protohistoric (up to 1775 A.D.) archaeological deposits may exist within or adjacent to the proposed project site. The present project area is therefore a zone of potential prehistoric archaeological sensitivity.

It is unlikely that there was any regular activity on the project site or its immediate vicinity during the Spanish, Mexican or Early American periods (1776-1848). The Mission Dolores and the Presidio, the principal centers of activity, were located a considerable distance from the site, and the gradual growth of the settlement of Yerba Buena (later renamed San Francisco) did not encroach upon the project site. Throughout the entirety of the Early Historic Period, the project area remained in a completely natural state.

The first settlement and development of the South of Market area in which the project site is located began during the Gold Rush era (1849-1857). After serving as a jumping-off point for prospectors waiting to travel to the Sierra gold fields, the area was initially developed with dozens of iron foundries and heavy machinery manufacturers. The project site is on the southern periphery of the Happy Valley and Pleasant Valley neighborhoods that developed during this period. The land on Fremont Street near the project site had been purchased and subdivided as early as February 1849. Subsurface cultural resources from the California Gold Rush era may be discovered within the borders of the project site as by mid-1851 the property was developed and occupied.

During the later 19th Century Period (1858-1906), the topography in the South of Market area was drastically altered, with all of the region's great sand hills systematically reduced over a period of about 20 years. The material excavated from the hillsides was used to fill in the waters of Yerba Buena Cove and Mission Bay, extending the City's shoreline eastward by up to 1,000 feet. The alteration of topography included the infamous Rincon Hill Second Street cut of 1869 which changed the economic character of the South of Market area. Houses were destroyed and the value of the land declined.

Numerous foundries and iron-working enterprises were in operation in relatively close proximity to the 333 Fremont Street project site. By the close of the 1860s, the project site and the surrounding area had been completely graded and developed, although relatively minimal topographic modification occurred when the project site was brought into conformity with City base requirements. A layer of fill, probably ranging between eight to ten feet in thickness, was placed within the project site during that period. In the 1870s, the surrounding neighborhood contained a mix of industrial/commercial enterprises as well as residences. During the final three decades of the 19th century, multi-story working class residential buildings occupied the proposed 333 Fremont Street site. Archival sources suggest that potential architectural remains and associated cultural resources may be associated with the Irish community that occupied the project vicinity during the last 19th Century.

The buildings on the project site were consumed by fire in the great 1906 earthquake. The first building to be constructed on the site after the fire was in 1913 (347-49 Fremont). An adjacent concrete building (333 Fremont) was constructed in 1930 and used for engraving and printing. By the 1930's, the project site and environs had been developed with the essential land use mix and architectural characteristics that typify the current neighborhood.

In summary, despite the topographic reduction that has occurred on the site since the 1850s, there is a potential for encountering prehistoric/protohistoric archaeological resources at the site, although no substantive evidence of such cultural materials was discovered in the cultural resources evaluation of the project. There is little likelihood of recovering cultural resources from the Spanish, Mexican or Early American periods (1775-1848). However, there is a reasonable possibility that subsurface cultural resources of significance associated with the Gold Rush and Late 19th Century periods may exist within the confines of the project site.

Construction of the project would require excavation up to 30 feet for a total of about 12,860 cubic yards of fill to be removed. No prior soils-disturbing activities have been identified that would have significantly impaired the integrity of archaeological resources within the project site. The prehistoric and historical archaeological resources that are expected to be present within the project site may have sufficient scientific/historical research potential to qualify the resources for eligibility for listing to the CRHR under criteria A and D. Given the potential presence of archaeological resources on the site, the project sponsor would implement Cultural Resources Mitigation Measure 4, to reduce the potentially significant disturbance, damage, or loss of archaeological resources during project construction to a less-than-significant level. Archaeological resources, therefore, require no analysis and will not be included in the EIR.

Historical Architectural Resources

Two two-story office buildings which were joined in 1968 currently occupy the site. The larger, concrete, 333 Fremont building, constructed in approximately 1930, contains a basement level which is accessible from a driveway from Zeno Place. The smaller, 347-349 Fremont Edwin W. Tucker Co. Building, is a wood frame structure that was constructed in 1913 and is on the California Register of Historic Places. The proposed demolition of 347-349 Fremont Street would potentially be considered a significant impact on historical architectural resources of significance.

Buildings on and in the vicinity of the project site were surveyed between 1974 and 1976 as part of a City-sponsored citywide inventory of architecturally significant buildings. The inventory assessed the architectural significance of 10,000 surveyed structures from the standpoint of overall design and particular design features. Both contemporary and older buildings were included and each building was numerically rated according to its overall architectural significance. The ratings ranged from a low of "0" to a high of "5." Factors considered included architectural significance, urban design context, and overall environmental significance. The building at 347-349 Fremont was rated "1" in the 1976 Citywide Architectural Survey.

The 347-349 Fremont Street building is listed eligible for a separate listing on the National Register of Historic Places. The building is not under Article 10 of the City *Planning Code* (which concerns sites

such as designated City Landmarks and buildings within Historic Districts), or Article 11 of the City *Planning Code* (which involves rating buildings for their architectural significance).

The Foundation for San Francisco's Architectural Heritage, however, rated the building a "C-Contextual Importance." These are buildings "which are distinguished by their scale, materials, compositional treatment, cornice, and other features. They provide a setting for more important buildings and they add visual richness and character to the area. Many C-group buildings may be eligible for the National Register as part of eligible historic districts."

In addition, 347-349 Fremont was evaluated by the Federal Highway Administration and the California Department of Highways and Transportation (Caltrans). The 347-49 Fremont Street Building was rated the National Register Code (NRSC) of "2S2" which means that the Building was "determined eligible for separate listing through a consensus determination by a Federal agency and the State Historic Preservation Officer."²³ The proposed demolition of the 347-349 Fremont Street Edwin W Tucker Co. Building could have a significant impact on historical architectural resources and the Historic Resources Evaluation Report will be discussed in the EIR.

Yes No Discussed

C. OTHER

Require approval and/or permits from City Departments other than the Planning Department or Department of Building Inspection or from Regional, State or Federal Agencies?

☐ ☒ ☒

The project would require conditional use authorization by the Planning Commission for height above 40 feet in a residential district. Additionally, the project may require several variances from set-back and dwelling unit exposure requirement. The approvals and permits necessary for the project are presented in the Project Description Section on page 12 and in the Compatibility with Zoning, Plans and Policies Section on page 13.

²³ Page & Turnbull, Inc. *The Edwin W. Tucker & Co. Building, 347-49 Fremont Street, Historic Resources Study, San Francisco, CA*, April 2, 2003. This report is available for public review by appointment in Project File No.2002.1263E at the Planning Department, 1660 Mission Street, Suite 500, San Francisco, CA.

D. MITIGATION MEASURES PROPOSED AS PART OF THE PROJECT

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Discussed</u>
1. Could the project have significant effect if mitigation measures are not included in the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are all mitigation measures necessary to eliminate significant effects included in the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The following mitigation measures are related to topics determined to require no further analysis in the EIR. The EIR will contain a Mitigation Measures chapter which describes these measures, and will include other measures which would or could be adopted to reduce potential adverse effects of the project.

The project sponsor has agreed to implement the following mitigation measures which are necessary to avoid significant effects:

Mitigation Measure 1

Construction Air Quality: The project sponsor shall require the construction contractor(s) to spray the project site with water during excavation, grading, and site preparation activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other such material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during these periods at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require the construction contractor(s) to obtain reclaimed water from the Clean Water Program for this purpose.

The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as prohibiting idling motors when equipment is not in use or when trucks are waiting in queues, and implementing specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Mitigation Measure 2

Hazards (Contaminated Soil):

Step 1: Preparation of Site Mitigation Plan:

Soil and groundwater samples shall be characterized (analyzed) for metals, petroleum hydrocarbons and gasoline/diesel components, volatile and semi-volatile organic compounds, and other constituents, as requested by the Department of Public Health (DPH). In addition, groundwater characterization shall

be carried out for total suspended solids, total settleable solids, pH, total dissolved solids, and turbidity. Samples shall be analyzed by state-accredited laboratories. Based on the results of soil and groundwater characterization, A site Mitigation Plan shall be prepared by a qualified individual, in coordination with DPH and any other applicable regulatory agencies. The sampling and studies shall be completed by a Registered Environmental Assessor or a similarly qualified individual. Excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with DPH.

Step 2: Site Health and Safety Plan

Prior to conducting any remediation activities a Site Health and Safety Plan would be prepared pursuant to California Division of Occupational Safety and Health (Cal-OSHA) requirements and National Institute for Occupational Safety and Health guidance to ensure worker safety. Under Cal-OSHA requirements, the Site Health and Safety Plan would need to be prepared prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
- The dust controls specified in Air Quality Mitigation Measure 1.
- Protocols for managing stockpiled and excavated soils.

The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:

- Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier of sufficient height and structural integrity to prevent entry and based upon the degree of control required.
- Posting of “no trespassing” signs.
- Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures could include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

Step 3: Handling, Hauling, and Disposal of Contaminated Soils

(a) specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If there are excavated materials containing over one percent friable asbestos, they would be treated as hazardous waste, and would be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.

(c) surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 4: Preparation of Closure/Certification Report

After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure 3

Hazards (PCBs.) The project sponsor would ensure that building surveys for PCB-containing equipment (including elevator equipment), hydraulic oils, and fluorescent lights are performed prior to the start of demolition. Any hazardous materials so discovered would be abated according to federal, state, and local laws and regulations.

Mitigation Measure 4

Cultural Resources: Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project archaeological research design and treatment plan (Archeo-Tec. *Archaeological Research Design/Treatment Plan for the 333 Fremont Street Project*, May 29, 2003.at the direction of the Environmental Review Officer (ERO). In instances of any inconsistency between the requirements of the project archeological research design and treatment plan and of this archaeological mitigation measure, the requirement of the latter shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO.

Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in

consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities_and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological

monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

E. ALTERNATIVES

Alternatives to the proposed project will be defined further and described in the EIR. At a minimum, the alternatives analyzed in the EIR will include the following:

1. A No Project Alternative in which the project site would remain in its existing condition, with the two two-story, office buildings totaling approximately 30,417 square feet.
2. Preservation Alternative, in which the 347-49 Fremont Street building (The Edwin W. Tucker Co Building) would be retained and adaptively reused in the proposed residential development.

F. MANDATORY FINDINGS OF SIGNIFICANCE

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

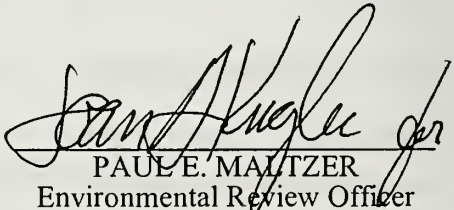
The proposed project could have significant, adverse effects on transportation and historical architectural resources.

G. ON THE BASIS OF THIS INITIAL STUDY

- ☐ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.
- ☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: _____

Oct 3, 2003


PAUL E. MALTZER
Environmental Review Officer
for
Gerald G. Green
Director of Planning

Appendix B

Transportation Definitions

APPENDIX B

TRANSPORTATION DEFINITIONS

GENERAL PLAN ROADWAY CLASSIFICATIONS

The San Francisco Planning Department has developed a street hierarchy system for the City and County of San Francisco, in which the function and design of each street are consistent with the character and use of adjacent land. The major classifications in the Vehicle Circulation Plan of the San Francisco *General Plan* are:

- **Freeways:** Limited access, very high capacity facilities; primary function is to carry intercity traffic; they may, as a result of route location, also serve the secondary function of providing for travel between distant sections in the city.
- **Major Arterials:** Cross-town thoroughfares whose primary function is to link districts within the city and to distribute traffic from and to the freeways; these are routes generally of citywide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses.
- **Transit Conflict Streets:** Streets with a primary transit function which are not classified as major arterials but experience significant conflicts with automobile traffic.
- **Secondary Arterials:** Primarily intra-district routes of varying capacity serving as collectors for the major thoroughfares; in some cases supplemental to the major arterial system.
- **Recreational Streets:** A special category of street whose major function is to provide for slow pleasure drives and cyclist and pedestrian use; more highly valued for recreational use than for traffic movement. The order of priority for these streets should be to accommodate: 1) pedestrians, hiking trails or wilderness routes, as appropriate; 2) cyclists; 3) equestrians; 4) automobile scenic driving. This should be slow and consistent with the topography and nature of the area.
- **Collector Streets:** Relatively low-capacity streets serving local distribution functions primarily in large, low-density areas, connecting to major and secondary arterials.
- **Local Streets:** All other streets intended for access to abutting residential and other land uses, rather than for through traffic; generally of lowest capacity.

In addition to the San Francisco Planning Department's roadway classifications, the freeways, major arterials, and transit conflict streets are included in the Congestion Management Program (CMP) Network and Metropolitan Transportation System (MTS) Network (see below).

Transit Preferential Streets

The Transit Preferential Street network classification system takes into consideration all transportation functions, and identifies the major transit routes where general traffic should be routed away from. There are two classifications of transit preferential streets: Primary Transit Streets, which are either transit-oriented or transit-important; and Secondary Transit Streets.

- **Primary Transit Street – Transit-Oriented:** Not major arterials, with either high transit ridership, a high frequency of service, or surface rail. Along these streets, the emphasis should

be on moving transit vehicles, and impacts on automobile traffic should be of secondary concern.

- **Primary Transit Street – Transit-Important:** Major arterials, with either high transit ridership, high frequency of service, or surface rail. Along these streets, the goal is to improve the balance between modes of transportation, and the emphasis should be on moving people and goods, rather than on moving vehicles.
- **Secondary Transit Street:** Medium transit ridership and low-to-medium frequency of service, or medium frequency of service and low-to-medium transit ridership, or connects two or more major destinations.

In general, it is City policy that transit preferential treatments should be concentrated on the most important transit streets, and the treatments applied should respond to all transportation needs of the street. For example, on streets that are major arterials for transit and not for automobile traffic, treatments should emphasize transit priority; on streets that are major arterials for both transit and automobiles, treatments should emphasize a balance between modes. It is also City policy that automobile facility features (such as driveways and loading docks) should be reduced, relocated or prohibited on transit preferential streets in order to avoid traffic conflicts and automobile congestion.

Citywide Pedestrian Network

The Citywide Pedestrian Network is a classification of streets throughout the city used to identify streets devoted to or primarily oriented to pedestrian use. The main classifications are:

- **Citywide Pedestrian Network Street:** An inter-neighborhood connection with "citywide significance" includes both exclusive pedestrian and pedestrian-oriented vehicular streets. These streets include the Bay, Ridge, and Coast trails, are used by commuters, tourists, general public and recreaters, and connect major institutions with transit facilities.
- **Neighborhood Network Street:** A neighborhood commercial, residential or transit street that serves pedestrians from the general vicinity. Some streets may be part of the Citywide network, but are generally oriented towards neighborhood-serving uses. Types include exclusive pedestrian and pedestrian-oriented vehicular streets. As part of the Neighborhood Network Street network, streets are classified as **Neighborhood Commercial Streets**, which are streets that are predominately commercial use with parking and loading conflicts, or **Neighborhood Network Connection Streets**, which are intra-neighborhood connection streets that connect neighborhood destinations.

In general, it is City policy that sufficient pedestrian movement space should be provided to minimize pedestrian congestion, sidewalks should be widened where intensive commercial, recreational or institutional activity is present, and efforts should be made to ensure convenient and safe pedestrian crossings at intersections.

Congestion Management Program (CMP) Network

The CMP Network is the network of freeways, state highways, major arterials and transit conflict streets (see Roadway Classifications, above) established in accordance with state Congestion Management legislation. As part of the CMP, the San Francisco County Transportation Authority is required to determine the level of service (LOS) for the CMP Network streets every two years. The LOS is based on the average travel speed for each roadway segment during both the AM and PM peak periods. The

level of service standard is LOS E, except for roadway segments that operated at LOS F in 1991 (when the first study was performed). The CMP requires development of "Deficiency Plans" for any CMP-designated roadway that operate at LOS F. These plans include an analysis of the causes of the deficiency, a list of improvements that would have to be made to prevent the deficiency from occurring (including cost estimates), a list of improvements proposed as part of the plan, and an action plan for implementation of the improvements (including an implementation schedule).

Metropolitan Transportation System (MTS) Network

The MTS Network is defined by Metropolitan Transportation Commission (MTC) as part of its Regional Transportation Plan. The MTS is a regional network of roadways, transit corridors and transfer points, identified by the MTC on the basis of specific criteria. The criteria identified facilities that provide relief to congested corridors, improve connectivity, accommodate travel demand, and serve a regional transportation function. The State highways and major thoroughfares designated in San Francisco's CMP roadway network are all included in the regional MTS network. There are a few instances in which the local CMP network is not identical to the MTS network due to differences in the criteria used to define each network.

LEVELS OF SERVICE DEFINITIONS

Intersection operating conditions are described by Levels of Service (LOS). LOS is a qualitative description of an intersection's performance, based on the average delay per vehicle. LOS definitions are different for signalized and unsignalized intersections. Table B-1 and B-2 provide these definitions.

TABLE B-1
SIGNALIZED INTERSECTION LEVEL OF SERVICE DEFINITIONS BASED ON DELAY

LEVEL OF SERVICE	TYPICAL DELAY (SEC/VEH)	TYPICAL TRAFFIC CONDITION
A	≤ 5.0	Insignificant Delays: No approach phase is fully utilized and no vehicle waits longer than one red indication.
B	5.1 - 15.0	Minimal Delays: an occasional approach phase is fully utilized. Drivers begin to feel restricted.
C	15.1 - 25.0	Acceptable Delays: Major approach phase may become fully utilized. Most drivers feel somewhat restricted.
D	25.1 - 40.0	Tolerable Delays: Drivers may wait through more than one red indication. Queues may develop but dissipate rapidly, without excessive delays.
E	40.1 - 60.0	Significant Delays: Conditions are generally the limit of acceptable delays. Vehicles may wait through several signal cycles and long queues of vehicles from upstream.
F	> 60.0	Excessive Delays: Represents unacceptable conditions with extremely long delays. Queues may block upstream intersections.

Sources: *Highway Capacity Manual*, Highway Research Board, Special Report No. 209, Washington, D.C., 1985; *Interim Materials on Highway Capacity*, Circular 212, Transportation Research Board, 1980.

TABLE B-2
ARTERIAL LEVEL OF SERVICE DEFINITIONS BASED ON TRAVEL SPEED

ARTERIAL CLASS	I	II	III
RANGE OF FREE FLOW SPEEDS (mph)	45 to 35	35 to 30	35 to 25
TYPICAL FREE FLOW SPEED (mph)	40	35	27
LEVEL OF SERVICE	AVERAGE TRAVEL SPEED (mph)		
A	≥ 35	≥ 30	≥ 25
B	≥ 28	≥ 24	≥ 19
C	≥ 22	≥ 18	≥ 13
D	≥ 17	≥ 14	≥ 9
E	≥ 13	≥ 10	≥ 7
F	< 13	< 10	< 7

Level of Service A: Primarily free-flow operations at average travel speeds, usually about 90 percent of the free flow speed for the arterial class. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Stopped delay at signalized intersections is minimal.

Level of Service B: Reasonably unimpeded operations at average travel speeds, usually about 70 percent of the free flow speed for the arterial class. The ability to maneuver within the traffic stream is only slightly restricted and stopped delays are not bothersome. Drivers are not generally subjected to appreciable tension.

Level of Service C: Stable operations. However, ability to maneuver and change lanes in mid-block locations may be more restricted than in LOS B, and longer queues and/or adverse signal coordination may contribute to lower average travel speeds of about 50 percent of the average free flow speed for the arterial class. Motorists will experience an appreciable tension while driving.

Level of Service D: Borders on a range on which small increases in flow may cause substantial increases in approach delay and, hence, decreases in arterial speed. This may be due to adverse signal progression, inappropriate signal timing, high volumes, or some combination of these. Average travel speeds are about 40 percent of free flow speed.

Level of Service E: Significant approach delays and average travel speeds of one-third the free flow speed or lower. Such operations are caused by some combination of adverse progression, high signal density, extensive queuing at critical intersections, and inappropriate signal timing.

Level of Service F: Extremely low speeds below one-third to one-quarter of the free flow speed. Intersection congestion is likely at critical signalized locations, with high approach delays resulting. Adverse progression is frequently a contributor to this condition.

Source: Highway Capacity Manual, Special Report 209, Transportation Research Board, 1980.

REQUEST FOR FINAL ENVIRONMENTAL IMPACT REPORT

TO: Planning Department,
Major Environmental Analysis

Please send me a copy of the Final EIR.

Signed: _____

Print Your Name and Address Below

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San Francisco Planning Department
Major Environmental Analysis
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Attn: Tammy Chan, Environmental Coordinator
2002.1263E 333 Fremont Street

PLEASE CUT ALONG DOTTED LINE

RETURN REQUEST REQUIRED FOR FINAL
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